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| **PIT-crest_trans bw** | **Pennsylvania Institute of Technology**    **The Family Educational Rights and Privacy Act Policy**  **H. Matthew Meyers, President** | **New**:  2010  **Supersedes**: 2009  **Applicable Department(s**)  **Primary/Owner**: Academic Records Office  **Secondary**: ALL |

**Student Records:**

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.

*Even though you may be an eligible student, P.I.T. may still release information to your parent or guardian without your express consent:*

* Schools may **disclose any and all information** to parents, **without the consent of the eligible student**, if the student is a dependent for tax purposes under the IRS rules.
* FERPA also permits a school to disclose information from an **eligible student’s education records to parents if a health or safety emergency involves their son or daughter**.
* Another provision in FERPA permits a college or university to **let parents of students under the age of 21 know when the student has violated any law or policy concerning the use of possession of alcohol or a controlled substance**.
* School officials may also share information with a parent about an eligible student that is based on that official’s personal knowledge or observation and that is not based on information contained in an education record.

*The Academic Records Office can also release,* ***without your express permission****, Directory Information.*

FERPA defines "directory information" as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Typically, "Directory Information" includes information such as:

* + Your name;
  + Address and telephone listing;
  + Major field of study;
  + Enrollment status;
  + Dates of attendance;
  + Anticipated degree
  + Date and place of birth; and
  + Participation in officially recognized activities, degrees, honors, and awards received.

The school does not have to notify a parent or eligible student individually. (34 CFR § 99.37.)

Upon request, P.I.T. also discloses education records without consent in accordance with applicable law. Information on other such exceptions is available through the Registrar’s Office and are listed below.

Students are entitled to file a “Student Academic Information Release Form” available through the Registrar’s Office. Other Departments may also request that you complete this form in order to assist with Extern Placement, Career Placement and College Transfer. By signing and returning this form to the Registrar’s Office (or requesting department), you may authorize P.I.T. to release your grades and other information from your education records to your parents or other individuals. This consent remains in effect until changed in writing with the Registrar’s Office (or requesting office). Continuing students who did not fill out the form in their first year may do so at any subsequent time. If you choose not to file the form, you are urged to inform your parents of your decision.

Students who wish to have their directory information withheld must notify the Registrar’s Office in writing. (Please note that such a notification will prevent P.I.T. from providing your directory information with those whom you may wish us to share such information, such as prospective employers, so make your decision carefully.) You may give such notification at any time, but it will be effective only prospectively.

[*What is an Education Record?*](http://familypolicy.ed.gov/content/what-education-record)

Education records are records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution. These records include but are not limited to grades, transcripts, class lists, student course schedules, student financial information (at the postsecondary level), and student discipline files. The information may be recorded in any way, including, but not limited to, handwriting, print, computer media, videotape, audiotape, film, microfilm, microfiche, and e-mail. Source: 34 CFR § 99.2 “Education Records” and “Record”

*As an Eligible Student, what do my rights include?*

1. **The right to inspect and review the student's education records within 45 days after the day P.I.T. receives a request for access.** You should submit this request in writing to the Registrar’s Office. This request should identify the record(s) you wish to inspect. The Registrar’s Office will make arrangements for access and notify you of the time and place where the records may be inspected. Records customarily open for student inspection will be accessible without written request.
2. **The right to request the amendment of your education records that you believe are inaccurate.** If you wish to ask P.I.T. to amend a record, you must write the Register’s Office, clearly identify the part of the record you believe to be inaccurate and specify what is inaccurate and why it should be changed. The Registrar’s Office will notify you of its decision or any further action that should be taken by you before P.I.T. can issue a decision. If the College decides not to amend the record as

requested, P.I.T. will notify you in writing of the decision and the student’s right to a hearing re- garding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

1. **The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

* One such exception permits disclosure to “school officials” with “legitimate educational interests.” A “school official” is any person employed by P.I.T. in any administrative, supervisory, academic or research, or support staff position (including public safety and health services staff); any person or company with whom P.I.T. has contracted to provide a service to or on behalf of P.I.T. (such as an attorney, auditor, or collection agent); any person serving on P.I.T.’s Board of Trustees; or any student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
  + A school official has a “legitimate educational interest” if the official needs to review an education record in order to fulfill the official’s professional responsibility.

Upon request, P.I.T. also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

1. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by P.I.T. to comply with the requirements of FERPA.** The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

**Student Responsibility:** Students in doubt about the meaning of any P.I.T. regulation should seek advice from the Director of Student Affairs, their Academic Support and Financial Literacy Counselor, or the appropriate P.I.T. office or staff member. *Each student is personally responsible for all regulations in this Catalog that may affect academic progress, financial obligations, and relationships with P.I.T. authorities, transfer of credits, and eligibility for graduation*.

*See the list below of the disclosures that postsecondary institutions may make without consent:*

FERPA permits the disclosure of PII from students’ education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

* To other school officials, including teachers, within the School whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(*1*) - (a)(1)(i)(B)(*2*) are met. (§99.31(a)(1))
* To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student’s enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
* To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university’s State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State- supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
  + - In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
    - To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
    - To accrediting organizations to carry out their accrediting functions. ((§99.31(a)(7))
    - To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
    - To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
    - To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
    - Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
    - To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
    - To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
    - To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

**For more information on FERPA, please visit** [**http://familypolicy.ed.gov/?src=fpco-faqs**](http://familypolicy.ed.gov/?src=fpco-faqs)