



NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS July 2010

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. These rights include:

1. *The right to inspect and review the student's education records within 45 days of the day The Center for Allied Health & Nursing Education (the "Center") receives a request for access.*

Students should submit to the Administration Office, a written request that identifies the record(s) the student wishes to inspect. The Administration Office will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Administration Office, the Administration Office shall advise the student of the correct official to whom the request should be addressed.

2. *The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.*

Students may ask the Center to amend a record by writing the official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the Center decides not to amend the record as requested, the Center will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

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

The Center discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the Center in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the Center has contracted as its agent to provide a service instead of using institutional employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board; or a 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 his or her professional responsibilities.

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

4. *The right to file a complaint with the U.S. Department of Education concerning alleged failures by the institution 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 20202-5901 FERPA@ed.gov

5. *The right to not have certain "directory information" published".*

The Center may make public without student consent certain "directory information." This information consists of a student's name, e-mail address, major, field(s) of study, dates of attendance, and degrees or awards received. A student who prefers that such "directory information" not be made public must notify the Administration Office. The request for nondisclosure remains in effect until rescinded by the student.

The "U.S.A. Patriot Act", which was effective October 26, 2001, established the following exceptions relative to the release of information from institutional files:

- a. Ex Parte Orders - The Center can disclose, without the consent or knowledge of a student or parent, personally identifiable information from a student's records to representatives of the Attorney General of the United States in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. An ex parte order is an order issued by a court without notice to an adverse party. When The Center makes a disclosure pursuant to an ex parte order it is not required to record that disclosure of information in the student's file.
- b. Lawfully Issued Subpoenas and Court Orders - In the following three contexts, an institution can disclose, without consent, information from a student's education records in order to comply with a lawfully issued subpoena or court order:
 1. Grand Jury Subpoenas
 2. Law Enforcement Subpoenas - For these subpoenas, the court may order The Center not to disclose to anyone the existence or contents of the subpoena or our response. If the court so orders, neither the prior notification requirements nor the recording requirements would apply.
- c. Health or Safety Emergency - The Center is permitted to disclose personally identifiable information from a student's education record without the written consent of the student in the case of an immediate threat to the health or safety of students or other individuals. This is limited to a situation that presents imminent danger or to a situation that required the immediate need for disclosure to avert or diffuse serious threats to the safety or health of a student or other individuals.
- d. Disclosures to the Bureau of Citizenship and Immigration (BCIS) - The Center may release personally identifiable information of a student who has signed a Form I-20 and any student attending on an M-1 or J-1 visa to the BCIS.