

### **Notification of Student Rights under FERPA**

The Records Office maintains permanent academic records on all students who have ever enrolled in the college. All practices and policies dealing with the acquisition, retention and disclosure of information to student records are formulated with respect to the student's right to privacy. No record is kept which will detrimentally discriminate by race, creed, gender or political belief of a student.

The Records Office maintains the official transcript and the official documents of each student. The student's folder may contain the application for admission, immunization record, official transcript(s) from high school or previous college/college, the results of admissions tests, copies of official correspondence concerning the admission status, copies of written requests made by the student to make changes to their record. These records are available to an internal college official who has a legitimate educational interest in the information. A college official has a legitimate education interest in a student's records if the official needs the information to fulfill his or her professional responsibilities. A college official is defined as faculty, administrative and classified staff, administrators, trustees, students serving on official college committees or assisting another college official in performing his or her duties, and third parties with whom the college has contracted such as attorneys, auditors, or collection agents. Information is made available to other persons only with the expressed written permission of the student.

Students have the right to inspect the official transcript of their academic record and personal folder, to request an interpretation and explanation of information contained within these records; to request amendment of educational records that are incorrect or misleading or that violate privacy or other rights; and to request a hearing to amend such records, if necessary.

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

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.

Students should submit to the Registrar written requests that identify the record(s) they wish to inspect. The Registrar 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 Records Office, the Registrar shall advise the student of the correct official to whom the request should be addressed. Contact the Registrar at the Jean Anderson Morgan (JAM) Student Activity Center, 131 College Circle, Swainsboro, GA 3040. Phone contact number (478) 289-2109.

2. The right to request the amendment of the student's education records that the student believes to be inaccurate or misleading, or in violation of their right to privacy.

Students may ask the College to amend a record they believe is inaccurate or misleading, or in violation of their privacy rights. They should write to the Registrar, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

FERPA was not intended to provide a process to be used to question substantive judgments which are correctly recorded. The rights of challenge are not intended to allow students to contest, for example, a grade in a course because they felt a higher grade should have been assigned.

If after the review of the requested amendment to the student record, the college elects not to make the requested change, the student or parent may request a hearing to challenge the content of the student's education records on the grounds that the information contained in the records is inaccurate, misleading, or in violation of the

privacy rights of the student. Students and parents must direct requests for hearing to Donald Avery, Vice President for Student Affairs, Jean Anderson Morgan (JAM) Student Activity Center, 131 College Circle, Swainsboro, GA 30401; (478) 289-2015.

If the Vice President of Student Affairs decides to amend, it will be done and the parent or student will be informed of the amendment in writing. If the Vice President of Student Affairs decides to deny the request for amendment, the student or parent will be informed in writing of this decision and of their right to place a statement in the record commenting on the contested information in the record and/or stating why he or she disagrees with the decision of the college. Any such contested statement will be maintained as part of the student's permanent record and disclosed as part of the student's permanent record.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

A copy of the FERPA form is available at the Records Office webpage.

The College may disclose education records in certain other circumstances:

**Student Records can be Disclosed to Others Without Student Consent in Certain Instances:**

East Georgia State College may disclose a student's educational record without the student's consent if such disclosure fits within one of the following categories:

1. Directory information *unless* the student has requested in writing that all or a portion of those items designated as directory information *not* be disclosed.
2. The request is from an internal college official who has a legitimate educational interest in the information.
3. The request is from another educational institution where the student seeks or intends to enroll.
4. The request is from authorized representatives of the Comptroller General of the US, Secretary of Education, or to state and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to the state statute adopted prior to Nov. 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released; or information that is allowed to be reported pursuant to a state statute adopted after 1974, which concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released. Nothing in this paragraph shall prevent the state from further limiting the number or type of state or local officials who will continue to have access thereunder.
5. The request is in connection with financial aid the student has applied for or received if the disclosure is for the purpose of determining eligibility, amount or conditions of aid, or to enforce the terms and conditions of the aid.
6. The request is from organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
7. The request is by accrediting agencies to carry out accrediting functions.
8. The request is by a parent or legal guardian of a dependent student, as defined by the Internal Revenue Code.
9. The information is disclosed to comply with a lawfully issued subpoena or court order. The institution must make a reasonable effort to inform the student in advance of compliance unless the subpoena or court order expressly states that providing prior notice would compromise the confidentiality of an investigation or other legal proceeding. Counsel acting on behalf of a college may provide education records to a court

without a subpoena or court order when the college has initiated legal action against a parent or student. In such case, the college must provide prior notice to the student or parent.

10. The disclosure is made in the event of a health or safety emergency involving the student. The emergency must pose a significant and articulable threat to the health or safety of a student or other individuals. Disclosure may be made to *only* those persons whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.
11. The final results of a disciplinary hearing against a student who is an alleged perpetrator of a violent crime or non-forcible sex offense *if* the institution finds that the student committed a violation of the institution's rules or policies. The name of the student, violation committed, sanction imposed, and name(s) of other student(s) involved, but only with prior consent of such other student(s).
12. The disclosure is to parents, as defined in § 99.3, of a dependent student, as defined in [section 152 of the Internal Revenue Code of 1986](#).
13. Any violation of federal, state or local law or rule or policy of the college governing the use or possession of alcohol or controlled substances may be made to the parent or guardian if the student is under age 21 and the college has determined the student committed a disciplinary violation.

#### **FERPA Annual Notice to Reflect Possible Federal and State Data Collection and Use**

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

#### **Students May File a Complaint Alleging FERPA Violation**

Students alleging violations of FERPA may file a complaint with the US Department of Education at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

For an up-to-date copy of the Policy and Procedures  
on the GSC website.