



ACADEMIC OPERATING POLICY AND PROCEDURE

DATE: January 8, 2016

NEXT REVIEW: January 2020

SUBJECT: AOPP 3.27 -- Family Educational Rights and Privacy Act (FERPA)

PURPOSE: Notification of Rights Under FERPA The Family Educational Rights and Privacy Act (FERPA) allows students access to their educational records and limits the ability of others to access those records, except as authorized by law. (Click here to view the [Family Educational Rights and Privacy Act](#) website)

REVIEW: This AOPP will be reviewed every four years (or whenever circumstances require an earlier review) by the Associate Vice President for Academic Affairs (AVPAA) with recommendations for revision presented to Academic Council and the Vice President for Academic Affairs. Any change to this AOPP as a result of review will be effective the subsequent fall semester.

POLICY/PROCEDURE:

- 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.**
A student should submit a written request to the Registrar that identifies the record(s) the student wishes to inspect. The Registrar's 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 Registrar's Office, the Registrar will make arrangements for the student to review the requested record(s) at a time and place agreeable to all parties involved. Such arrangements will be scheduled within the allotted time limit.
- 2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.** A student who wishes to ask the College to amend a record should write the College Registrar, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College 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 require written consent before the College discloses personally identifiable information from the student's education records, except to the**

extent that FERPA authorizes disclosure without consent. The College 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 College in an administrative, supervisory, academic or research, or support staff position (including security unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; 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 for the College.

4. **Generally, Young Harris College must have written permission from the student before releasing any information from a student's educational record. However, the law and Young Harris College policies allow disclosure of records, without consent of the student, to the following:**

- College employees who have a legitimate need to know in the fulfillment of his or her professional responsibility
- Persons who need to know in cases of health and safety emergencies
- Accrediting organizations to carry out accrediting functions
- Appropriate parties in connection with financial aid to a student
- Federal, State, and local governmental officials for purposes authorized by law
- Individuals who have lawfully obtained court orders or subpoenas
- Organizations conducting educational studies for the College
- Other schools to which a student is applying or transferring
- Courts during litigation between the College and the student or parent
- Alleged victim of crime of violence after final results of a disciplinary hearing

5. **Directory Information**

The College designates the following as public or "Directory Information:"

- student's name
- address (permanent)
- program of study
- degree sought
- expected date of completion of degree requirements and graduation
- degrees and awards received
- dates of attendance
- full or part time enrollment status
- previous educational agency or institution attended
- participation in officially recognized activities and sports
- weight and height of athletic team members and other similar information
- classification (grade level)
- email address

- o photograph

Students may restrict the release of “Directory Information,” except to school officials with legitimate educational interests and others as indicated in point #4 above. To do so, a student must make the request in writing to the Registrar’s Office, P.O. Box 96, Young Harris, GA, 30582. Once filed, this request becomes a permanent part of the student’s record until the student instructs the Registrar, in writing, to have the request removed.

6. Parental/Legal Guardian Rights

The College will provide grades and access to student education records to parents or legal guardians who certify that the students are financially dependent, as defined in Section 152 of the 1986 Internal Revenue Code. Parents or legal guardians will be required to sign a Release of Information Agreement and follow the procedure detailed in #1.

7. The right to file a complaint with the US Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.

In many situations, complaints relative to FERPA can be resolved within the College on an informal basis. Any student who wishes to discuss a FERPA complaint may contact the Vice President for Academic Affairs Office, P.O. Box 242, #1 College Street, Young Harris, GA, 30582. To file a FERPA complaint with the US Department of Education, contact the Office that administers FERPA at:

Family Policy Compliance Office
 US Department of Education
 400 Maryland Avenue, S.W.
 Washington, DC, 20202-4605

RESPONSIBILITIES

<u>Position</u>	<u>Section</u>	<u>Year</u>
Associate VP for Academic Affairs	Review	2015

APPROVED BY:

<u>/s/ Keith DeFoor</u>	<u>2.2.16</u>
Associate VP for Academic Affairs	Date
<u>/s/ Gary Myers</u>	<u>2.2.16</u>
Vice President for Academic Affairs	Date

<u>/s/ Gary Myers</u>	2.2.16
Chair, Academic Council	Date

<u>/s/ Matthew Byron</u>	3.2.16
President, Faculty Senate	Date

REVIEWED BY:

<u>/s/ Tammy Gibson</u>	3.16.16
Registrar	Date

APPROVED:

<u>/s/ Cathy Cox</u>	7.29.16
President	Date