

# Family Education Rights and Privacy

The Family Educational Rights and Privacy Act (FERPA) of 1974 is a federal law that states: (a) written institutional policy that should be established; and (b) that a statement of adopted processes covers the privacy rights of students must be made available. The law provides that the institution will preserve the confidentiality of student education records.

The University accords all the rights under this law to students who are declared independent. No one outside of the institution shall be permitted access to - nor will the institution disclose any information from - a student's educational records without his/her written consent. Exceptions include disclosure of necessary information to other personnel within the University; to officials of other institutions in which students seek to enroll; to persons or organizations affording students scholarships; to persons in amenability with a judicial order and persons in an emergency in order to guard the health and safety of the student or other persons; and, to accrediting agencies carrying out their accreditation function. All these exceptions are permitted under FERPA.

Within the Leighton University community, only those members (individually or collectively) acting in the student's educational interest(s) are allowed access to student education records. These members include personnel in offices defined by the institution, e.g., Admissions offices, Registrar Services, Finance Office, and specific academic personnel within their need-to-know limitations. At its discretion, Leighton University may provide directory information per the FERPA provisions, including student name, hometown, address, date of birth, university address and telephone number, dates of attendance, class standing, major field of study, previous institution(s) attended, awards, honors (includes honor roll), degree(s) conferred (including dates) and participation in officially recognize institutional activities. Students may stipulate withholding their directory information by filing a notification to the Office of the Vice President for Enrollment Management and Student Affairs. Authorization to withhold the directory information must be filed annually in the Office of the Vice President for Enrollment Management and Student Affairs and Enrollment Management.

The law affords students with the right to inspect and review the information contained in their educational records, to challenge the content and accuracy of those records, is entitled to a hearing if the outcome of the challenge is deemed to have been unsatisfactory and if they believe the decisions of the hearing panel were unacceptable, to submit explanatory statements for inclusion in their files. The institution has designated the University's vice president for student affairs and enrollment management to coordinate inspection and review procedures for student educational records, including admission, personal, academic, and placement records. Students wanting to review their educational records must make written requests to the Office of the Vice President for Enrollment Management and Student Affairs. The request must include a listing of the specific item or items of interest or concern. Only records covered under FERPA will be made open within forty-five (45) days of the appeal. Students may also request to have copies made of their records with specific exclusions (e.g., a copy of the student's academic record for which a financial hold exists or a transcript of an original or source document exists elsewhere). These copies can be made at the student's expense, at the prevailing rates listed by the Office of Registrar.

Educational records do not include records of educational personnel, instructional material, and class administrative procedures, which are in the maker's sole possession and are not accessible or revealed to any individual except a temporary substitute, records of law enforcement unit, and student health, employment or alumni records. Personal documents such as Health records, however, may be reviewed by physicians of the students choosing. Students may not scrutinize or review the resulting as outlined by FERPA: financial information submitted by their parents, confidential letters and sanctions associated with admission, employment or job appointment, honors to which they have waived their rights of examination and review, or education records encompassing information on more than one student, in that respect, the institution will authorize admittance only to the part of the student's record which pertains to the inquiring.

A student who believes that his/her education records contain inaccurate or misleading information or otherwise violate their privacy or other rights may discuss that concern unofficially with the Vice President for Enrollment Management and Student Affairs (or the vice president's designee). If the decisions are in settlement with the student's requests, the appropriate records will be amended. If not, the student will be notified that the records will not be amended within a reasonable period. The vice president will then inform them of student affairs and enrollment management (or the vice president's designee) of their right to a formal hearing. Student appeal for a formal hearing

must be made in writing to the Office of the Vice President for Enrollment and Student Affairs, which, within a reasonable period after receiving such requests, will inform the student of the scheduled hearing, including date/link and place. Students may submit evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their own choice, including attorneys, at the student's expense. The Vice President for Enrollment Management and Student Affairs will appoint the panel, adjudicating such challenges.

The decision rendered by the hearing panel will be final. It will be based solely on the evidence presented at the hearing. It will consist of written statements summarizing the evidence, stating the reasons for the decision, and delivering it to all parties concerned. Suppose the decision is unsatisfactory for the student. In that case, the student may place comments or statements within his or her educational records, setting forth possible reasons for disagreement with the hearing panel's decision(s). When inaccuracy is discovered, the educational records will be corrected or amended per the hearing panel's decision to favor the student. The statement will be placed in the student's educational records and maintained as part of their records. It will be released whenever the records in question are disclosed.

A student who believes the adjudications of his or her challenge were unfair or not keeping with FERPA provisions may request writing assistance from the University's president (or designee). Further, a student who believes that his/her rights have been shortened or abridged may file complaints concerning the alleged failure of Leighton University to comply with FERPA with:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202