



FERPA Policy

What is It?

The Family Educational Rights and Privacy Act (FERPA) of 1974 is a Federal law designed to protect the privacy of a student's education records. This federal law, known as the Buckley Amendment, was enacted to establish procedures for disclosing information contained in student records, to insure the privacy of these records for the student, to establish the rights of students to inspect their educational records and to provide guidelines for the correction of inaccurate data through informal and formal hearings. Davis College is in compliance with the FERPA guidelines.

The Act applies to students enrolled in higher education institutions as well as K–12 students. If a student is a minor (e.g., under the age of eighteen), the parents or legal guardians are afforded the rights. Only when the student has signed a written release giving their parent(s) or legal guardian access to their record is an institution allowed to release information from the student's education record to parents. The Act also applies to former students but does not apply to applicants for admissions.

According to the American Association of Collegiate Registrars and Admissions Officers the essence of the Act as it affects higher education students and institutions is:

College students must be permitted to inspect their own education records.

Institutions may not disclose information about students nor permit inspection of their records without written permission, unless such action is covered by certain exceptions permitted in the Act.

What is Davis College's Policy on FERPA?

An education record is defined as a record maintained by an educational institution and includes information that makes a student personally identifiable. Davis College will permit students to inspect and review their education records. It will not disclose education records about students nor allow inspection of student records without a written request. Davis College

will also release educational records to parents of students only upon receipt of a written request from both the student and parent. Davis College will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. The College at its discretion may disclose directory information, but students may protect all or part of this data from disclosure. When an individual requests student information from Davis College, the College will respond in accordance with FERPA guidelines.

What information may an Institution Disclose?

There are two types of information distinguished under FERPA: personally identifiable information and directory information. Certain conditions exist with regards to disclosure of each kind of information.

Personally Identifiable Information

Davis College will not disclose personally identifiable information from the student's education records except with the written consent of the student. Examples of personally identifiable information are:

- The name of the student's parent or other family member
- The address of the student or student's family
- A personal identifier such as the student's Social Security Number or another student identifier
- Other information that would make the student's identity easily traceable

Prior consent, in the form of a signed and dated document, must be provided by the student to the Registrar's Office to authorize Davis College to disclose personally identifiable information. The consent:

- Must specify records that may be disclosed.
- Should state purpose of disclosure.
- Must identify party or class of parties to whom disclosure may be made.

Primary Exceptions

In relation to postsecondary institutions, prior consent is not required to disclose personally identifiable information:

- To a school official who has a legitimate educational interest. A school official is defined as administrative and clerical personnel, faculty, Board of Trustees, persons employed by or under contract to Davis to perform a special task, such as an attorney or auditor, and student workers performing assigned tasks. The school official has a “legitimate educational interest” if the official is acting in the student’s educational interest and needs the student record information for the effective functioning of his or her office position.
- To Federal, State and local authorities involving an audit or evaluation of compliance with education programs.
- To financial aid agencies (including for disbursement, repayment, or enrollment verification).
- To the student.
- To individuals or organizations conducting studies for or on behalf of an educational institution.
- To regional or professional accreditation organizations.
- To parents of a dependent student (see “What Is It?” section).
- To comply with a judicial order or subpoena. A reasonable effort must be made to notify the student beforehand—unless ordered by the subpoena not to do so.

In the event of a health or safety emergency where the information is required to resolve the emergency. Data considered directory information, so long as the student has not previously requested nondisclosure of this information. Data that is the result of a disciplinary hearing where the student is the perpetrator of a crime of violence or a non-forcible sex offense. Under this exception, information may be released to anyone, including the media. No information on the victim or witnesses may be released. Of a student under the age of 21 who has committed a drug or alcohol related offense (e.g., reporting the offense to the parents of the student).

Directory Information

Directory information is defined as information that would not generally be considered harmful to the student or an invasion of privacy if disclosed. Directory information may be released at the discretion of college officials without written permission of the student. Consistent with federal law, Davis College has defined directory information as including, but not limited to:

- Student’s name
- Local address
- Local telephone listing
- Photograph
- Date and place of birth

- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (e.g., undergraduate, full-time or part-time)
- Participation in officially recognized activities and sports Weight and height of athletic team members
- Degrees, awards and honors (includes Dean's list) received and pertinent dates
- The most recent educational institution or educational agencies attended and dates of attendance

According to the American Association of Collegiate Registrars and Admissions Officers, the following is not considered directory information and may not be disclosed to a third party except with the written consent of the student or to a school official with a legitimate educational interest:

- Student identification numbers
- Ethnicity/race/nationality
- Social Security numbers
- Gender

Students may withhold directory information by notifying the Registrar's Office and filing a request for non-release within one week after the first day of class for the term. They may also protect a subset of this information, referred to as locator information, which includes: name, local address, local telephone listing. As a result of placing a privacy restriction on directory and/or locator information, a student will not be included in the Davis College Student Directory and will not receive mailings from the Alumni Association. Only materials related to an educational program will be mailed to students.

Access to Academic Records

Students who wish to view their records should notify the Registrar's Office by submitting a signed written request. An appointment will be made for the student to view the file within a reasonable amount of time (limited by law to 45 days). Students may receive copies of their records by submitting a signed written request. The fee for copies of educational records other than transcripts is \$1.00 per page. No transcripts or copies of any other educational records will be issued unless the student's or former student's financial account is current.

Parents desiring to inspect and review the education records of the student should address a written request accompanied by a signed letter of permission from the student whose record is requested or a court order directing the release of the information to the parent to the

Registrar's Office.

If records are found to be inaccurate, the students or parents shall have the opportunity to request a hearing to challenge the contents of any institution record. If students or parents desire to challenge such a record and a solution is not reached informally, they must do so by filing a written request with the Registrar's Office. A committee appointed by the President of Davis College will conduct the hearing within 30 days of the written request. Students will have a full and fair opportunity to present evidence relevant to the issues raised. A decision shall be rendered in writing within two weeks of the conclusion of the hearing. If the decision of the review committee is unsatisfactory to the students or parents, they may place record statements with the College commenting on the information in the records stating the reasons for disagreeing with the decision.