



PONTIFICAL COLLEGE
JOSEPHINUM

OFFICE OF THE REGISTRAR

PRIVACY AND RELEASE OF
STUDENT EDUCATION RECORDS
(FERPA)

The Family Educational Rights and Privacy Act of 1974, as amended, sets forth requirements designed to protect the privacy of student educational records. The law governs access to records maintained by educational institutions and the release of information from those records. A notice is given to enrolled students at the start of each fall semester to explain the rights of students with respect to records maintained by the college. It also outlines the college's procedures to comply with the requirements of the Act. (<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>)

I Right to Inspect and Review

Students are granted the right to inspect and review all of their education records, except the following:

1. Financial records of parents.
2. Confidential letters and statements of recommendation placed in education records prior to January 1, 1975.
3. Confidential letters and statements of recommendations for admission, employment, or honorary recognition placed in education records after January 1, 1975, for which students have waived their right of access.

II Waiver of Rights of Access

Students may waive their right of access to confidential letters and statements of recommendation. Even if the student signs a waiver, upon request, the names of all persons making confidential recommendations will be made available. Employees or agents of the college may not require a student to waive his or her right of access for receipt of college benefits or services.

III Procedures for Inspection and Review

- A. Requests to review records must be made separately, in writing, to each office maintaining records. That office has 45 days to respond to requests to review and inspect. However, arrangements will be made as expeditiously as possible.
- B. Information contained in education records will be fully explained and interpreted to students by college personnel assigned to, and designated by, the appropriate office.
- C. Students have the right to review only their own records. When a record contains information about more than one student, disclosure cannot include information regarding the other student(s).

IV Right to Challenge Information in Records

- A. Students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or inappropriate.
- B. This process includes an opportunity for amendment of the records or insertion of written explanations by the student into such records.
- C. The right to challenge grades does not apply under the Act unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.

V Procedures for Hearing to Challenge Records

- A. Students challenging information in their records must submit, in writing, a request for a hearing to the appropriate office maintaining the record, listing the specific information in question and the reasons for the challenge.
- B. Hearings will be conducted by a college official who does not have a direct interest in the outcome of the hearing.
- C. Students shall be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge, as referenced in item IV.
- D. The hearing officer will render a decision, in writing, noting the reason and summarizing all evidence presented within a reasonable period of time after the challenge is filed.
- E. Should the hearing be in favor of the student, the record shall be amended accordingly. Should the request be denied, an appeal may be made, in writing, and submitted to the College Registrar within 10 days of the student's notification of the decision of the hearing officer. The appeal shall be heard by an Appeals Board of three disinterested senior college officials and a decision rendered, in writing, within a reasonable period of time.
- F. Should the appeal be in favor of the student, the record shall be amended accordingly. Should the request be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. When disclosed to an authorized party, the record will always include the student's statement and notice of the Board's decision, as long as the student's record is maintained by the college.

VI Consent for Release Required

Consent must be obtained from students for the release of information from education records, specifying what is to be released, the reasons for release, and to whom, with a copy of the record sent to the student if he or she desires. ([LINK to FERPA-Release.pdf](#))

VII Release Without Consent

- A. The requirement for consent does not apply to the following:
 - 1. Requests from faculty and staff of The Pontifical College Josephinum who have a legitimate education interest on a "need to know" basis, including student employees or agents of the institution, if necessary to conduct official business, as authorized by the PCJ Registrar. Legitimate educational interest includes performing a task related to the regular duties of the employee or agent, the student's education, the discipline of a student, a service or benefit for the student, or maintaining safety and security of the campus.
 - 2. Requests in compliance with a lawful subpoena or judicial order.
 - 3. Requests in connection with a student's application for or receipt of financial aid.
 - 4. Requests by state authorities and agencies specifically exempted from the prior consent requirements by the Act--organizations conducting studies on behalf of the college, if such studies

do not permit the personal identification of students to any persons other than to representatives of such organizations and if the personal identification data is destroyed when no longer needed.

5. Information submitted to accrediting organizations.

6. Requests by parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954.

7. In the case of emergencies, the college may release information from education records to appropriate persons in connection with an emergency, if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

8. To authorized federal officials who have need to audit and evaluate federally-supported programs.

9. The results of any disciplinary proceeding conducted by the college against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

10. Requests for "directory information" (see item VIII).

B. The college reserves the right to verify the accuracy of any information contained in what purports to be an official college document (e.g. a transcript or diploma) or is provided to a third party. In addition, degrees (any honors, majors, minors and specializations) are considered public information since they are conferred in a public ceremony.

VIII Directory Information

A. The PCJ, in accordance with the Act, has designated the following information about students as public (directory) information:

1. Name

2. Address (local and home)

3. Telephone (local and home)

4. E-mail address

5. Program of Study, class level

6. Enrollment status (e.g. acceptance, full-time, part-time, withdrawn, undergraduate, graduate)

7. Major program of study

8. Dates of attendance

9. Degree(s) and awards received

10. Previous educational agencies or institutions attended

11. Diocese of sponsorship or religious community

12. Deceased status

13. Record hold(s)

B. Students have the right to have this directory information withheld from the public if they so desire. Each student who wants directory information to be withheld must do so in writing to the Registrar.

C. The college receives many inquiries for "directory information" from a variety of sources, including friends, parents, relatives, prospective employers, other institutions of higher education, honor societies, licensing agencies, government agencies, and the news media. Each student is advised to carefully consider the consequences of a decision to withhold "directory information." The college, in all good faith, will not release directory information requested to be withheld, and any requests from persons or organizations outside the college will be refused unless the student provides written consent for the release.

IX Complaints, Concerns or Suggestions

Any student who has reason to believe that the college is not complying with the Act or this policy should inform the Registrar in writing. The Registrar shall promptly review all such allegations.