

FERPA - Family Educational Rights and Privacy Act of 1974

Confidentiality of Academic Records

FERPA (Family Educational Rights and Privacy Act of 1974 [U.S. Public Law 93-579]) guarantees an individuals' rights the access to their academic record. This federal law also provides guidelines as to third party access and the appropriate security of the education record. FERPA stipulates that students have the right to

- inspect and review their academic records;
- control disclosure and;
- request amendment to the educational record if an error is recorded.

Academic Records at Concord are defined as including any portion of the educational history of a student that is maintained by the University for the purpose of sharing with other academic officials and is intended to support the academic degree progress of the student. Typical examples are the academic files maintained in a department or university administrative office. These records include: files, documents and materials in multiple media (handwritten, tape, disks, microfilm, CD-ROM, etc.) which contain information directly related to the academic educational efforts of the student. Academic records do not include law enforcement unit records, medical records (doctor patient privilege), alumni records, or human resource records.

Sole Possession Records are defined as records (notes maintained by a faculty member) that are not shared with any other educational official. Notes maintained in a sole possession record are not subject to the guidelines of FERPA. Sole Possession records that are merged with the academic record require full disclosure per FERPA guidelines.

Educational Officials may view student academic records if they have a demonstrated, specific educational interest prior to the granting of access to the student record. Educational Officials at Concord are defined as those persons employed by Concord in an administrative and/or academic position (faculty and staff) whose position requires access to the records to fulfill their stated job responsibilities.

Third Party Disclosures are prohibited by FERPA without the written consent of the student. Any persons other than the student are defined as Third Party, including parents, spouses, and

employers. All educational officials are required to secure written permission prior to the release of any academic record information.

Directory Information

FERPA allows for the designation of certain academic record information as "directory information" [academic record information not requiring written permission prior to release].

Concord defines directory information as follows:

- Student's name
- Local and Permanent address
- Telephone Number(s)
- Major field of study (including second majors, minors, etc.)
- Whether a student is currently enrolled
- Enrollment status (full-time, half-time, etc.)
- Class (freshman, sophomore, etc.)
- Academic level (associate, undergraduate, graduate, professional)
- Anticipated graduation date
- Certification of application for degree
- Dates of enrollment
- Degree(s) earned, including date, honors and level of distinction
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

Directory information will be withheld if requested by the student. To withhold directory information, the student should contact the University Registrar's Office, Rm A-202, Marsh Hall, 304-384-5236

Notification of Rights under FERPA for Postsecondary Institutions

The Family Educational Rights and Privacy Act (FERPA) affords 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 university receives a request for access. Students must submit written requests to our office that identify the record(s) they wish to inspect. The university official 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 university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the university to amend a record that they believe is inaccurate or misleading. They should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify what it is inaccurate or misleading. If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her 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 consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests or concerns of health and safety. A school official is a person employed by the university in an administrative, supervisor, academic or research, or support staff position (such as health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Visitors; 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 responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Concord to comply with the requirements of FERPA.

FERPA is administered by: Family Policy Compliance Office

U.S. Department of Education 400 Maryland Avenue, SW

Washington, DC 20202-5920

<https://www.ed.gov/about/ed-overview/required-notices/privacy-program>

FERPA Disclosure

The Family Educational Rights and Privacy Act (FERPA) requires that you authorize the university prior to release of any academic record information to a third party. Completion of the online form (MyConcordU under the student tab) allows you to approve disclosure of your academic record information to parent(s) and/or guardian(s). The disclosure will remain valid until you remove the authorization.

Tax Dependent? Concord will release academic information on tax dependent students to their parents. This requirement is allowable with the guidelines of FERPA. Documentation must be presented prior to the information being shared.

Required Demographic Information

Concord policy requires annually the collection of specific demographic data for each student: local mailing address and emergency contact confirmation.