

# **Family Educational Rights and Privacy Act of 1974 (FERPA)**

## **SIT Graduate Institute Annual Notice to Students**

The Family Education Rights and Privacy Act (FERPA) affords students of all ages with certain rights with respect to the student's education records; this Annual Notice deals only with the rights provided to students over 18 years of age ("eligible students"). These rights include:

**1. The right to inspect and review the student's education records.** Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The school official will make arrangements for access and notify the student of the time (which must be within forty-five (45) days of receipt of the request) and place where the records may be inspected. If the records are not maintained by the school 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 School to amend a record that they believe is inaccurate or misleading. They should write the School official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the student, the School will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment.

**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.**

Circumstances Where Personally Identifiable Information May Be Released Without Prior Written Consent

- To authorized representatives of federal, state, and local educational authorities conducting an audit, evaluation, or enforcement of education programs
- Disclosure to school officials with legitimate educational interests
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
  - determine eligibility for the aid;
  - determine the amount of the aid;
  - determine the conditions of the aid; or
  - enforce the terms and conditions of the aid.

- To a victim of an alleged perpetrator of a crime of violence or non-forcible sex offense (only the final results of the disciplinary proceeding, regardless of whether the postsecondary institution concluded that a violation was committed)
- To anyone if the disclosure is in connection with a disciplinary proceeding at a postsecondary institution if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and with respect to the allegation against him or her the student has committed a violation of the institution's rules or policies
- To organizations conducting studies on behalf of schools
- To accrediting organizations
- To parents of a dependent student
- To comply with a judicial order or subpoena (the School shall make reasonable efforts to notify the student prior to the records being released)
- In a health or safety emergency
- To schools in which a student seeks or intends to enroll

**Disclosure to school officials with legitimate educational interests.** A school official is a person employed by the School in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the School has contracted (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 responsibility. Upon request, the School may disclose education records without consent to officials of another school in which a student seeks or intends to enroll.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expanded the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with

Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

**Release of Personally Identifiable Information to Other Colleges and Universities.**

Should an SIT Graduate Institute student seek to enroll in another college or university to complete a course or degree, SIT may share personally identifiable data with that college or university's education officials without the student's prior approval. SIT maintains a record of all releases of student records. A student may request to view a copy of what was shared with the other college/university by contacting the Registrar's Office.

**Directory Information Notice**

SIT may disclose certain information, known as directory information, in its discretion without consent. Directory information is generally not considered harmful or an invasion of privacy if released.

The following is considered "directory information" at SIT and may be made available to the general public unless the student requests non-disclosure of directory information from the Registrar's Office in person or in writing. If a data is not defined as "directory information" then it may not be released without the express written permission of the student or by using one of the exceptions for release permitted by FERPA.

- Student's name
- Telephone numbers
- Addresses
- Major and minor fields of study
- College of major and year (freshman, sophomore, etc.)
- Enrollment status (full-time/part-time) including credit hours
- Dates of attendance
- Degree sought and time
- Degrees conferred, awards and honors conferred
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- The most recent previous educational agency or institution attended by the student
- Fraternity and/or sorority and educational societies

**4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by SIT Graduate Institute to comply with the requirements of FERPA.** The name and address of the office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-4605