

**DIN: 2135-1-01**

**Title of Policy: FERPA (Family Educational Rights and Privacy Act) Compliance Policy**

It is the policy of the College to inform students and parents of their Family Educational Rights and Privacy Act (FERPA) rights and how to pursue them. 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 College receives a request for access.

A student should submit to the Registrar, Dean, Division Chair, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College 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 College 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's 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 provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

NTC does not release Private Data to any individual or organization, including credit card issuers, unless approved by Minnesota State or the college administration. However, in accordance with FERPA and MGDPA (Minnesota Government Data Practices Act), Northwest Technical College has the right to release student records without consent in some circumstances.

The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College 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 College has contracted as its agent to provide a service instead of using College employees or officials (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

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Document Number:2135-1-01	Rev. 4.1.2018	Page 1 of 3	Level #1
Title: FERPA Compliance			Next Review Date: 9.1.2021

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 responsibilities for the College. Examples include, but are not limited to, the following:

- Specified officials for audit, accrediting or evaluation purposes.
- Appropriate parties in connection with providing financial aid to a student.
- Another educational agency or institution, where a student is enrolled and/or receiving services, while also enrolled or receiving services at NTC.
- Other educational agencies or institutions to which students have transferred if requested by the transfer school.
- Other Minnesota State institutions where the student is enrolled or has applied for admission and to which official transcripts are automatically forwarded.

In accordance with FERPA and MGDPA guidelines, other examples of release without consent include, but are not limited to, the following:

- To appropriate officials in cases of health and safety emergencies.
- To state and local authorities, within a juvenile justice system, pursuant to specific state law.
- To comply with a judicial order or lawfully issued subpoena.
- To military recruiting personnel, under the Solomon Amendment of the National Defense Authorization Act. In addition to directory information, NTC must disclose address, telephone number, previous school of enrollment, and date of birth.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College 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 20202-5901

**Purpose**

To inform students of their FERPA rights regarding their educational records at NTC.

**Responsibility**

The table below describes responsibilities for this policy:

<b>Group/Individual</b>	<b>Responsibility</b>
Executive Director of Enrollment Management	Assure that college policies and practices effectively guard students' rights with regard to their educational records. Assure that college faculty and staff are informed of FERPA regulations and their role in following/implementing the requirements of FERPA.
Registrar	Safeguard privacy of student records. Provide access to student records in accordance with FERPA regulations. Manage "Do Not Release" and "Authorization to Release Information" processes and forms.

Faculty	Provide access to class level educational records in accordance with FERPA regulations and respond to requests for changes within 10 days or timeline identified by the Registrar. Refer students with requests for access to their other educational records to the Registrar. Inform students of their right to appeal.
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**Supporting References**

Listed below are college document(s) that support this policy:

2140-1-01 Student Records

2130-1-01 Directory Information: Public and Private

3320-1-01 Appeals and Grievance

**Compliance References:**

Listed below are references to compliance requirements (e.g. Minnesota State policy, federal regulations).

Family Educational Rights and Privacy Act of 1974 (the “Buckley Amendment”)

Minnesota Government Data Practices Act (Mn Statutes Section 13.01)

Minnesota Statute 135A.145

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Document Number:2135-1-01	Rev. 4.1.2018	Page 3 of 3	Level #1
Title: FERPA Compliance			Next Review Date: 9.1.2021