

Pennsylvania College of Technology

Policy Statement

Title: Family Educational Rights and
Privacy Act (FERPA)

Number: P 4.04

Approved by: Board Action
Presidential Action

Approved Date: 9/1976
Implementation Date: 9/1976
Last Review Date: 8/2011
Last Revision Date: 8/2011

Persons/Departments Affected:
All Students

Responsible Department:
Registrar's Office

Definitions:

Educational Records: Student educational records are specifically defined as records, files, documents and other materials that contain information directly related to a student and maintained by the College or someone acting for the College. Excluded from student educational records are records kept in the sole possession of the maker (i.e., faculty, College administrators and staff) that are not accessible or revealed to any other person, except a substitute. Notes of a professor or staff member intended for his/her own use are not part of the educational record, nor are records of police services; application records of students not admitted to the College; alumni records; or records made, maintained, or used only in connection with treatment of a student, such as those records created by physicians, psychiatrists, psychologists, etc.

Records relating to an individual who is employed by an educational agency or institution not as a result of his/her status as a student are also excluded. However, employment records relating to College students who are employed as a result of their status as students are considered educational records, e.g., work study.

Policy:

- I. The purpose of the Family Educational Rights and Privacy Act is to afford certain rights to students concerning their educational records. The primary rights afforded are:
 - A. The right to inspect and review the educational records.
 - B. The right to seek to have the records amended.

- C. The right to have some control over the disclosure of information from the records.
- II. The Family Educational Rights and Privacy Act apply to the educational records of students who are, or have been, in attendance at the College, including students in any non-traditional educational delivery processes, such as distance learning.
- The College defines “in attendance” as the date that a student’s tuition deposit is satisfied. Therefore, a student’s educational records are protected by FERPA beginning the date that his/her tuition deposit is satisfied.
- The Family Educational Rights and Privacy Act does not apply to records of applicants for admissions who are denied acceptance or, if accepted, do not attend the College.
- III. Individuals within the institution who have a legitimate “need to know” can access information electronically, as well as in paper form, while exercising the ethical responsibility to use the information for the sole benefit of the student and the institution. Releasing this information to anyone else is in violation of student rights.
- IV. All College employees are required to confirm to whom access has been given by a student, including the level of access for each individual, before disclosing any information contained in a student’s educational record.
- V. Except as otherwise provided by law, written or electronic consent from the student is necessary before granting access or releasing records to a third party, except for directory information. In cases of subpoenas, the student will be informed by phone or registered letter that the institution has complied with a subpoena requesting information. The student’s written or electronic consent must:
- A. Specify the records to be released.
 - B. State the purpose of the disclosure.
 - C. Identify the party or class of parties to whom disclosure may be made.
 - D. Be signed and dated by the student (written); this is captured electronically when student accesses online system (SIS).

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- VI. Directory information is defined as: name, address, telephone listing, electronic mail address, photograph, major field of study, dates of attendance, grade level, enrollment status (e.g., freshman, sophomore, junior, senior; full-time or part-time), date of graduation, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and most recent educational institution attended.
- VII. Students who do not want their directory information released must notify the Registrar's Office in writing. This will also prevent the Registrar's Office from releasing their names or addresses to newspapers for purposes of public recognition (e.g., Dean's list, graduation list, awards, etc.). Their names also would not be released to employers who may be requesting graduates' names for job searches.
- VIII. Current and former students have the right to inspect and review their educational records within 45 days from the written request. The right of inspection and review includes:
 - A. The right to access, with an explanation and interpretation of, the record.
 - B. The right to a copy of the educational record when failure to provide a copy of the record would effectively prevent the student from inspecting and reviewing the record. A copy may be refused, but only if, in doing so, the institution does not limit the student's right to inspect and review that record.
- IX. Students are notified in writing every semester of the Family Educational Rights and Privacy Act.
- X. Individuals who provide proof of dependency through income tax records can gain access to a student's educational records.

Revision History:

Date: 8/2011 Definition of educational record added; clarification of date upon which students' records begin to be covered by FERPA; clarification of content of a student's consent to release information; update of directory information definition

Date: 8/2004; 12/2001; 4/1983

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Cross References:

Family Educational Rights/Privacy Act Procedure, [PR 4.04](#)