

# STUDENT RECORDS

The Family Educational Rights and privacy Act (FERPA) of 1974 affords students certain rights with respect to their education records. They are:

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.*

Students should submit to the Dean of Student Affairs, or other appropriate officials, written requests that identify the record(s) they wish to inspect. The College official will make the arrangement 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 amendment of the student's education records that the student believes are inaccurate or misleading.*

Students may ask the College to amend a record they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

FERPA was not intended to provide a process to be used to questions substantive judgments that are correctly recorded. The right of challenge is not intended to allow students to contest, for example, a grade in a course because they felt a higher grade should have been assigned. If the College decided not to amend the record as requested by the student, the College 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 disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.*

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel); a person or company with whom the College has contracted (such as an attorney, auditor, collection agent, or official of

the National Student Clearinghouse); 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 their tasks.

A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill their professional responsibility. The college may disclose educational records in certain other circumstances:

- to appropriate parties to comply with a judicial order or a lawfully issued subpoena;
- to appropriate parties in a health or safety emergency;
- to officials of another school, upon request, in which a student seeks or intends to enroll;
- to college officials in connection with a student's request or receipt of financial aid, to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid;
- to certain officials of the U.S. Department of Education, the Comptroller General Office, or to state or local educational authorities, in connection with certain state or federally supported education programs;
- to accrediting organizations conducting certain studies for or on behalf of the college;
- to the alleged victim of a crime of violence when the crime was allegedly committed by the student; the College may disclose the results of an institutional disciplinary proceeding with respect to the crime.
- *The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirement of FERPA.*

For purposes of compliance with FERPA, the college considers all students independent.

The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC, 20202-4605

Essex County College maintains academic and other records of all students enrolled in the College. Additionally, financial records are maintained on all students who receive financial assistance through the College.