

POLICY ON PRIVACY OF STUDENT RECORDS

The Family Educational Rights and Privacy Act of 1974, (FERPA) mandates that educational institutions maintain the confidentiality of student educational records as defined by FERPA. Specifically, FERPA states (a) that a written institutional policy must be established, and (b) that a statement of adopted procedures be made available, covering the privacy rights of students. The following policy outlines Allegheny College's definitions, policies, and procedures related to access to educational records. Students will be notified of their FERPA rights annually by publication of this policy in *The Compass*.

Educational Records

- A. "Educational Records" include records directly related to a student, which are maintained by Allegheny College, such as admissions materials, transcripts/grades, student conduct records, financial records/billing statements, emails, and financial aid information. Educational records do not include: records of instructional, administrative, and educational personnel which in the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute; law enforcement records of the Security Office; health records of the Health Center and Counseling Center; employment records of full-time employees who are also students; alumni records which contain information about a person after she/he is no longer in attendance at the College and which do not relate to the person as a student. These records are not necessarily available to a student, but health records may be reviewed by health care provider(s) of the student's choosing.
- B. No one outside the College community shall have access to, nor will the College disclose, any information from a student's educational records without the written consent of the student, except to persons who are permitted access under the Act. These are: authorized representatives of federal or state agencies for audit, evaluation, enforcement or compliance with federal or state requirements; officials of other institutions in which students seek to enroll; persons or organizations providing students financial aid; accrediting agencies carrying out their accreditation function; authorized researchers who provide for confidentiality of the records; parent(s) of students who have established that student's status as a dependent according to federal tax laws; persons in compliance with a court order/subpoena; necessary persons, in an emergency, in order to protect the health or safety of students or other persons; and the alleged victims of incidents of violent behavior of the outcomes of student conduct proceedings with respect to those incidents.

FERPA allows the release of any information from a student's educational record without the written consent of the student to the parent(s) of a student who have established the student's status as a dependent according to federal tax laws. Information concerning a student who is a dependent, within the meaning of Section 152 of the Internal Revenue Code of 1954, may be released to that student's parent(s). The Internal Revenue Code defines a dependent student as one who has attended an educational institution full time for any five calendar months of a tax year and who was provided more than one-half of his/her support as claimed by the parent(s) on their income tax statement. A student may change his/her status regarding dependency by submitting the proper form and necessary supporting documents to the Student Accounts Office. **For purposes of this policy, the assumption will be that a student is not a dependent within the meaning of the Internal Revenue Code, unless individually certified to the contrary under the criteria above. Regardless of dependency, a student may submit a release form authorizing the College to share information with his/her parent(s). The submission of such a release is encouraged and can be done by contacting the Dean of Students Office.**

- C. Within the Allegheny College community, only College officials, individually or collectively, acting in the student's legitimate educational interest are allowed access to student educational records. College officials are persons: employed by the College in academic, administrative, or support staff positions; serving on institutional governing bodies; or contracted by the College to perform certain tasks. A College official has a legitimate educational interest if the information requested is necessary for that official in performing a task that is specified in his/her position description or contract agreement or is performing a task related to the student's education.

Directory Information

- A. At its discretion, the College may provide directory information to the public, without prior approval, to include: student name, local and permanent address, photographs, telephone number, email address, date and place of birth, enrollment status, major field of study, date of attendance (including graduation date), degrees and awards received, participation in officially recognized activities and sports, and weight and height of members of athletic teams.
- B. A student may withhold directory information from public disclosure by notifying the Office of Residence Life in writing. Directory information can be withheld at any time of year and once a student requests non-disclosure this will be in effect until the student gives written notice to change their non-disclosure status. Directory information will be withheld even after graduation until Allegheny College is notified otherwise. At the beginning of each academic year, students who have not already requested a hold on directory information and who want to withhold directory information from the Allegheny student government telephone directory must do so by the end of the add period for Fall classes.

Inspection and Review of Educational Records

- A. A student has the right to inspect and review (within forty-five days of request) information contained in his/her educational records (as defined above); to challenge the contents of his/her educational records and to have a hearing, if the outcome of the challenge is unsatisfactory; and to submit explanatory statements for inclusion in his/her records if they feel the outcome of the hearing is unacceptable.
- B. The Dean of Students or designee coordinates the inspection and review procedures for student educational records. Such records are maintained at several locations on the campus; these locations are listed at the end of this policy. A student who wishes to review his/her educational records must make written requests to the offices maintaining the records. If a student is uncertain as to the location of a particular record, the written request should be addressed to the Dean of Students listing the item(s) of interest.
- C. A student may have copies made of his/her records unless a financial, academic, or disciplinary "hold" has been placed on the record by an appropriate College official. Such copies will be made at the student's expense with the exception of a student transcript which should be requested through the Registrar's Office at a cost determined by that office.
- D. A student may not inspect or review the following: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment, job placement, or honors to which they have waived their rights of inspection and review; or educational records containing personally identifiable information about other students. The institution is not required to permit a student to inspect or review confidential letters and recommendations placed in his/her file prior to January 1, 1975, providing those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Amendment of Educational Records

- A. If a student believes that the information contained in his/her educational records is inaccurate or misleading, or that it violates privacy or other rights, the student may request that the College amend the record. Such request shall be in writing addressed to the Dean of Students, and shall specify the amendment sought.
- B. The Dean of Students or designee shall, within 30 days after receiving the student's request, and after consulting with appropriate College officials, decide whether the record will be amended in accordance with the request and inform the student in writing. If the decision is to amend the record in accordance with the request, the Dean of Students or designee shall correct the records within ten days. If the decision is to refuse to amend the record in accordance with the request, the Dean of Students or designee shall simultaneously advise the student that he/she may request a hearing to challenge the content of the educational records by contacting the Dean of Students in writing.
- C. If a request for a hearing is received, the Dean of Students or designee shall request that the President appoint a panel of three College faculty members or administrators to conduct the hearing. Persons appointed shall be individuals who have no direct interest in the outcome of the hearing. The President shall designate a chairperson for the panel and shall provide the panel such assistance as deemed appropriate.
- D. The chairperson of the hearing panel shall notify the student and the Dean of Students or designee of the date, time and place of the hearing at least five days before the hearing.
- E. The student shall be afforded a full and fair opportunity to present evidence relevant to the issue whether the information in the student's educational record is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. The Dean of Students or designee shall be afforded a like opportunity. The panel shall make its decision solely on the basis of the evidence presented at the hearing.
- F. The student may be assisted throughout the process by a Community Support Person. The Community Support Person must be a current student or employee of the College who is chosen by the student to serve in an advisory capacity during the hearing. The primary role of the Community Support Person is to assist the student in preparing for the hearing and to attend the hearing as support for the student. The student is responsible for presenting his/her own information and, therefore, advisors are not permitted to speak or participate directly in the hearing without approval from the chairperson.
- G. The chairperson of the hearing panel shall, within five days after the hearing, inform the student of the panel's decision in writing including a summary of the evidence and the reasons for the decision. If the decision is to amend the record in accordance with the request, the Dean of Students or designee shall correct the records within ten days. If the decision is to refuse to amend the record in accordance with the request, the chairperson shall simultaneously advise the student that he/she has the right to place in the educational record a statement commenting on the records and setting forth the reasons for disagreeing with the College. Such statement shall thereafter be maintained as part of the educational record and thereafter disclosed to any party to whom the contested record is disclosed.
- H. If the student believes that their challenge and/or hearing was handled incorrectly or was not in keeping with the

requirements of the Act, he/she may direct a written appeal to the President. Furthermore, students who believe that their rights have been abridged may file complaints with the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SE, Washington, DC 20202-4605.

For further information or to obtain a copy of FERPA, students may consult the Dean of Students Office.

Location of Student Records

Academic Records:	Registrar's Office, Bentley Hall
Admissions Records:	Admissions Office, Schultz Hall (pre-matriculation), Dean of Students Office, Reis Hall (post-matriculation)
Campus Police Records:	Security Office, Newton Observatory
Career Planning & Placement Records:	ACCEL, Reis Hall
Counseling Records:	Counseling Center, Reis Hall
Employment Records:	Human Resources Office, Bentley Hall (full-time) Financial Aid Office, Schultz Hall (work study)
Enrolment Records:	Registrar's Office, Bentley Hall
Financial Aid Records:	Financial Aid Office, Schultz Hall
Int'l Student Program Records:	International Office, Reis Hall
Learning Common Records:	Learning Commons, Pelletier Library
Student Conduct Records:	Residence Life Office, Reis Hall
Medical Records:	Winslow Health Center, Schultz Hall
Student Accounts Records:	Student Accounts Office, Bentley Hall
Student Athletes Records:	Athletic Department, Wise Center
Student Life Records:	Dean of Students Office, Reis Hall

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Changes to this policy are made by the Dean of Students and is approved by the President of the College.