

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The right to privacy of confidential and personal information is a protected right of all persons as described in the 1974 Family Educational Rights and Privacy Act. This right of privacy extends to the student-teacher, student-student and student-patient/student-client relationship. Because of the legal, ethical and moral obligation, the students, faculty, and staff understand that a violation of the confidentiality of teacher, student or patient information and records can result in disciplinary action. Examples may include but are not limited to obtaining or communicating information obtained from teacher materials, questions, answers and/or notes without school consent; obtaining or communicating information obtained about a fellow student, i.e. grades, progress in curriculum without student consent. Students, faculty and staff are expected to review and abide by the Confidentiality Policy adopted by Petra College.

The Family Educational Rights and Privacy Act (FERPA) affords students the following rights:

- To inspect and review his/her education records within 45 days of Petra College receipt of a request for access.
- To inspect and review records, submit a written request identifying the records to be inspected and reviewed to the President. The President will arrange for access and notify the student of the time and place for record inspection and review.
- To request an amendment of his/her education record(s) if the student believes the record(s) is inaccurate. If a record is believed to be inaccurate, submit a written statement to the President that clearly identifies the part of the record in question and specifies why it is believed to be inaccurate. The student will be notified of decisions to either amend or not amend the record. Should Petra College decide not to amend the record as requested by the student, the student will be informed of his or her right to a hearing regarding the request for amendment and provided with information regarding the hearing procedures.
- To consent to disclosures of personally identifiable information contained in the student's education records. Exceptions that permit disclosure without student consent are school officials (persons employed by Petra College in administrative, supervisory, academic or research, or support staff position including law enforcement unit personnel and health staff), persons or companies.

It is the policy of Petra College that any student desiring access to his or her education records shall make a request in writing to the Student Services area by submitting a Request for Information form with a \$25 fee. Parents, guardians, or designated individuals are permitted access to education records only with the prior

written consent of the eligible student. However, Petra College reserves the right to contact parents, guardians, or other designated individuals of students who are under 21 years of age if the student has been involved in a violation of Petra College's alcohol or drug policies. Any party who believes that information contained in the education records of the student is inaccurate or misleading or violates the privacy or other rights of the student may request the amendment of the educational records in accordance with the published grievance/complaint/appeals policy.

Under the provisions of the Act, Petra College may disclose upon request the educational records to officials of another school in which a student seeks or intends to enroll without prior written consent of the student. Petra College may also release personally identifiable information from the education records of a student to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Any person who wishes NOT to have any or all the above-listed information released must complete the appropriate form with the Student Services area. Once submitted, no information will be released regarding the student (including references for employment). One provided exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by Petra College in an administrative, supervisory, academic, research, or support staff position; a person or company with whom Petra College has contracted (such as an attorney, auditor, or collection agency); a person serving on the Board of Supervisors; or a student or faculty/staff member serving on an official committee, such as 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 to fulfill his or her professional responsibility.

Petra College does disclose 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 typically including a person employed by Petra College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Petra College who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information (PII) from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for Petra College.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Petra College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Student Request for Information

Any student/graduate requesting information from his/her records must do so in writing and submit a \$25 fee. Forms are available in the Student Services area. If student is unable to do so in person, a signed fax must be sent to the school with the student's specific request. Students and graduates should allow five business days for their request to be completed.