



Policy and Procedure

Policy: Family Educational Rights and Privacy Act (FERPA) Student Rights

Effective Date: 8/21/2018

Revision Dates: 2016, 1974

Division: Academic Affairs

Scope:

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.)

These rights include:

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, head of the academic department, 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.

The right to request the amendment of the student's education records that the student believes is 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.

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.

The College may disclose education records without a student's prior written consent under the FERPA exception for disclosure including:

- 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 (such as an attorney, auditor, reporting or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee or assisting another school official in performing his or her tasks.
- To the parent(s) of a student who claims the student as a dependent based on the IRS Code of 1986 Section 152. McDaniel College values the role of parents as partners in the education of our students. Our institutional philosophy is to encourage communication between students and parents about the

student experience at McDaniel. To that end, the College may notify parents of dependent students when it has knowledge of situations adversely affecting a student. Such situations include academic deficiency (warning, probation, and dismissal) and those exceptions permitted under FERPA regarding alcohol and illegal drug policy violations.

- To officials of another school or school system in which the student seeks or intends to enroll
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities
- To comply with a judicial order or lawfully issued subpoena
- To appropriate officials in connection with a health or safety emergency
- A request for information that is deemed by the College to be directory information.

The right to opt out of the release of a student's directory information.

Directory information includes:

- student's name
- dates of attendance
- previous institutions(s) attended
- major field of study
- awards and honors (includes Dean's List)
- degree(s)
- past and present participation in officially recognized sports and activities
- height and weight of athletes
- hometown
- photographs

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