



**NORTHERN
PENNSYLVANIA
REGIONAL COLLEGE**

Policy: NPRC-3240 Educational Rights and Privacy
Origination: 03-12-2019
Approved: 04-12-2019
Effective: 04-12-2019
Reviewed:
Last Updated:

Subject: Educational Rights and Privacy

1. PURPOSE

This policy establishes expectations for maintaining the privacy of students' educational records associated with enrollment at Northern Pennsylvania Regional College (NPRC or the College).

2. SCOPE AND APPLICABILITY

This policy is applicable to all faculty (full-time and part-time), staff, administrators, and others who have access to private records or other educational information associated with enrollment at NPRC.

3. REFERENCES

3.1 INDX-0010 Master Policy Index

3.2 Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99, <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

3.3 Family Educational Rights and Privacy Act of 1974 (FERPA), 34 CFR § 99.31, https://www.govregs.com/regulations/expand/title34_part99_subpartD_section99.31

3.4 NPRC-3310.A Professional Code of Conduct and Ethical Principles for Instructors

3.5 NPRC-3210 Student Rights and Responsibilities

3.6 FORM-0010 FERPA Release

4. DEFINITIONS

4.1 The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student educational records.

The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

- 4.2 FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are defined as eligible students.
- 4.3 Directory information refers to a student's name, address, telephone number, date and place of birth, honors and awards, dates of attendance, or other similar data.

5. POLICY

- 5.1 All current and past NPRC students are eligible students, regardless of age. As such, FERPA eligible students have the right to
 - 5.1.1 Inspect and review their individual education records maintained by the College;
 - 5.1.2 Request that the College correct records which they believe to be inaccurate or misleading.
- 5.2 If an eligible student requests correction to a record they believe to be inaccurate or misleading and the College decides not to amend the record, the eligible student then has the right to a formal hearing. After the hearing, if the College still decides not to amend the record, the eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- 5.3 The College is not required to provide eligible students with copies of their individual education records unless, for reasons such as great distance, it is impossible for the eligible students to review the records. The College may charge a fee for copies.
- 5.4 The College must have written permission from an eligible student through FORM-0010 FERPA Release to release any information from that student's educational record. Exceptions for disclosure of those records without consent are permitted by FERPA to the following parties or under the following conditions:
 - 5.4.1 College officials who have a legitimate educational interest;
 - 5.4.2 Other post-secondary institutions to which a student is transferring;
 - 5.4.3 Specified officials for audit or evaluation purposes;

- 5.4.4 Those individuals authorized by their assigned job duties to view student information in connection with financial aid to a student;
 - 5.4.5 Organizations conducting certain studies for or on behalf of the College;
 - 5.4.6 Accrediting organizations;
 - 5.4.7 To comply with a judicial order or lawfully issued subpoena;
 - 5.4.8 Appropriate officials in cases of health and safety emergencies; and
 - 5.4.9 State and local authorities, within a juvenile justice system, pursuant to specific law of the Commonwealth of Pennsylvania.
- 5.5 The College may disclose directory information as defined by this policy concerning an eligible student without consent. The College shall identify information to be disclosed prior to any such disclosure. Directory information may be released through mechanisms including, but not limited to, the College’s website, published Dean’s lists, nominations for student awards, and job-related or educational recommendations for students.
- 5.6 Eligible students may request the College not disclose directory information about them during the application process or by request at any time thereafter. Upon receipt of such a request, the College shall cease disclosure of directory information. Any directory information disclosed prior to the receipt of the request shall be part of the public record.
- 5.7 The College shall notify eligible students annually of their rights under FERPA. The College may provide electronic or hard copy notification within the College catalog and/or student handbook.
- 5.8 Individuals have 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 as follows:

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

6. RESPONSIBILITIES AND TIMELINES

- 6.1 All faculty (full-time and part-time), staff, administrators, and others who have access

to private records or other educational information associated with enrollment at NPRC are responsible for adhering to the guidelines established within this policy.

- 6.2 Eligible students are responsible for monitoring their educational records for accuracy and for requesting correction to a record they believe to be inaccurate or misleading. Such a request may be submitted in writing to the Registrar or designee by hard copy letter or email using the student's college-assigned email address.
- 6.3 The Registrar or designee is responsible for processing requests for correction of records within twenty working days of the request's receipt. Processing includes collection of pertinent associated information, electronic notice of the College's decision regarding the request, and completion of any resulting revision of the eligible student's records.
- 6.4 An eligible student who disagrees with the Registrar's decision concerning a submitted request for correction to a record believed to be inaccurate or misleading, may submit a written appeal by following the formal appeals process provided by NPRC-3260 Student Grievance and Complaint. After the hearing, if the College still decides not to amend the record, the eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- 6.5 Eligible students who agree to the disclosure of directory information during the College's application process but subsequently change their decision are responsible for submitting a request to have the information withheld. Such a request may be made in writing to the Registrar by hard copy letter or by email using the student's college-assigned email account.
- 6.6 The Vice President for Academic and Student Affairs or designee is responsible for oversight and administration of this policy.

7. REVIEW STATEMENT

This policy shall be reviewed on a regular basis at least once every five years per the Policy Review Schedule established by the President or the President's designee. A review of the policy may be requested prior to the timeframe outlined by the policy review schedule by any student, faculty, staff, administrator, or board member. Such a request must be submitted in writing to the office of the President and must address specific concerns. Upon receipt of such a request, a complete review of the policy will be conducted within three months. Upon review, the President or President's designee may recommend to the Board of Trustees that the policy be amended or repealed.

8. SIGNATURES

Signature on file

Chair, Board of Trustees	Date
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Signature on file

President	Date
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Attachments: None

Distribution: Board of Trustees; <https://regionalcollegepa.org>

Revision Notes: Policy in Origination