

MCLA ANNUAL FERPA NOTIFICATION

NOTIFICATION OF STUDENT RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (“FERPA”) of 1974, as amended, ensures the confidentiality of student educational records and restricts disclosure of such records to third parties, except as authorized by law. FERPA also affords students certain rights with respect to their education records. These rights include:

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.

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.

2. THE RIGHT TO REQUEST THE AMENDMENT OF THE STUDENT’S EDUCATION RECORDS THAT THE STUDENT BELIEVES ARE 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.

3. 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 will disclose information from a student’s education records only with the written consent of the student, except:

- A. When the disclosure is to school officials with legitimate educational interests.

A school official is a person employed by the College in an administrative, supervisory, academic, research, law enforcement or support staff position; a person or company with whom the College has contracted to perform required functions (such as an attorney, auditor, service provider, or collection agent); 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 his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

B. When the disclosure is of “Directory Information”.

The College has designated the following items as “Directory Information”:

student’s name, MCLA mail box Unit #, campus electronic mail address, home address, date of birth, major and minor fields of study, dates of attendance, enrollment status (full or part time), certificates received, degrees received, honors and awards received (including scholarships that are not need based), date of actual or expected graduation, whether or not currently enrolled, participation in officially recognized activities including conferences, etc. and sports sponsored by the College, weight and height of athletic team members, photograph.

The College may disclose any of these items without prior written consent, unless the student has submitted a written request to the Office of the Registrar not to release directory information pertaining to him or her. Requests will be processed within 24 hours after receipt.

The College may disclose information from a student’s education records without the prior written consent of the student under the following circumstances:

- A. To officials of other institutions in which the student seeks or intends to enroll at the request of either the student or the institution;
 - B. To authorized representatives of the U.S. Department of Education, U.S. Department of Defense (under the Solomon Amendment), U.S. Attorney General, INS, the Comptroller General of the United States, state education authorities, organizations conducting studies for or on behalf of the College, and accrediting organizations;
 - C. In connection with a student’s application for, and receipt of, financial aid;
 - D. To comply with a judicial order or lawfully issued subpoena;
 - E. To parents of dependent students as defined by the Internal Revenue Code, Section 152;
 - F. To appropriate parties in a health or safety emergency;
 - G. To the alleged victim of any crime of violence or forcible sexual assault the results of any disciplinary proceedings conducted by the College; or
 - H. The College may disclose the result of a disciplinary proceeding to a parent or guardian as long as the student is under the age of 21 at the time of the incident and the proceeding has resulted in a violation of College drug or alcohol policies, or any federal, state, or local law.
4. 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