

Family Education Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974, as amended, establishes specific rights for students and/or their parents and prevents the release of certain information without the written consent of the student. Generally, this federal law gives students, former students, and alumni the right to review, in the presence of college personnel, their own personal records maintained by the college, including academic and financial records. FERPA permits a post-secondary institution to tell parents of students under the age of 21 when the student has violated any law or policy concerning the use or possession of alcohol or a controlled substance. FERPA also requires that campuses notify students, on an annual basis, of their rights under FERPA.

Parents of dependent students, as defined by the Internal Revenue Service, may have access to the college records of their dependent children without student consent. Parents may have access to their child's information in the event of a health or safety emergency involving their child, without their child's consent.

At SUNY Broome Community College, the repository for student records is the Office of the Registrar (SS105).

1.

- a. In keeping with the spirit of Section 438 of the Act, the Registrar has been appointed as Records Access Officer. The following procedures have been developed for the benefit of the student and eligible parent:

A student in attendance at SUNY Broome Community College shall, upon request, be able to view his/her educational records at the Office of the Registrar within 45 days of the date of said request.

- b. A parent or guardian of a student in attendance at SUNY Broome Community College, who claims a student as a dependent on his/her Federal Income Tax Form shall, upon proper presentation of the dependency condition, be afforded the same rights as set forth in Paragraph 1a. Further, in cases of divorce, the school may give access to either parent (custodial or non-custodial) unless there is a court order, state statute, or other legally binding document prohibiting such.
- c. Authorized state and federal government officials of educational and funding agencies.

- d. Educational research agencies, with the provision that they release only non-personally identifiable data.

2.

- a. Access to personally identifiable information about a student without the consent of the student may be provided by the College to the following individuals or agencies only:
 - i. School officials with a legitimate educational interest. A school official is defined as a person employed by the College in an administrative, supervisory, academic or support staff position (including law enforcement unit and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; 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.
 - ii. School officials of educational institutions to which a student might transfer.
 - iii. Authorized state and federal government officials of educational and funding agencies.
 - iv. Educational research agencies, with the provision that they release only non-personally identifiable data. 32
 - v. Accrediting organizations.
 - vi. The U.S. Department of Defense under the Solomon Amendment.
 - vii. Appropriate parties in connection with financial aid to a student.

3.

- a. Disclosure Without Approval of Student or Eligible Parent: Upon receipt of a Judicial Subpoena of the records of a student, a reasonable attempt will be made to notify the student or the parent of the existence of the order of the subpoena in advance compliance therewith unless subpoena states otherwise.

- b. In the event of an emergency involving the health or safety of a student or other individuals, the Registrar may disclose information to federal or state officials as well as the parents of an eligible student.

 - c. Directory Information - The name of the student, full time or part time status, dates of attendance, SUNY Broome Community College email address, honors, degree earned, date of graduation, photograph, participation in officially recognized activities and sports, weight and height of members of athletic teams, will constitute the total amount of information given to any individual making inquiry at SUNY Broome Community College, unless the student or eligible parent refuses to permit the disclosure. The student or eligible parent must notify the Registrar that such personally identifiable information is not to be designated as directory information with respect to that student.
4. SUNY Broome Community College shall, on request, provide an opportunity for a hearing in order to challenge the content of a student's education records to insure that information in the education records of the student are not inaccurate, misleading, or otherwise in violation of the rights of privacy or other rights of students. The request for a hearing will be directed to the Registrar.