

# Notification of Rights Under FERPA

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:

1. The right to inspect and review the student's education records within 45 days after King's College receives a request for access. A student should submit a written request to the Registrar, Student Affairs Office, or another appropriate official 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 an amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise violates the student's privacy rights under FERPA.

A student who wishes to ask King's College to amend a record should write the college official responsible for the record, clearly identify the part of the record the student wants to be changed and specify why it should be changed.

If King's College decides not to amend the record as requested, King's 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 King's College discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

King's College discloses education records without a student's prior written consent under the FERPA exception for disclosure to college officials with legitimate educational interests. A college official typically includes a person employed by King's College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person acting as a Title IX Coordinator; a person serving on the Board of Directors; or a student serving on an official committee, such as the Student Conduct Panel. A college official also may include a volunteer or contractor outside of King's College who performs an institutional service or function for which the College would otherwise use its own employees and who is under the direct control of the College concerning the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another college official in performing tasks. A college official typically has a legitimate educational interest if the official needs to review an education record to fulfill their professional responsibilities for King's College.

Upon request, the College also discloses education records without consent to officials of another College in which a student seeks or intends to enroll.

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:

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

Directory information is defined as basic information regarding a student, including the student's name, home address, on-campus and off-campus telephone number, date, and place of birth, campus email address, photo, field of major, dates of attendance, degrees and awards received, and previous educational institution attended. In addition, body weight and height are considered directory information for intercollegiate athletes.

FERPA permits PII disclosure from students' education records without the student's consent if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining the prior written consent of the student —

- To other college officials, including teachers, within King's College whom the college has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, Title IX Coordinators, or other parties to whom the college has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- 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, such as a State postsecondary authority responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may further disclose PII to outside entities designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement, or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the college, to (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))

- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information, the college, has designated as "directory information" under § 99.37. (§ 99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding concerning that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the college determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has violated the college's rules or policies concerning the allegation made against them. (§ 99.31(a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the college, governing the use or possession of alcohol or a controlled substance if the college determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

**If you have questions about these FERPA Rights or the College's FERPA Policy, please contact:**

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