

Policy on Student Educational Records and Privacy (FERPA)

Responsible Executive	Chief Academic Officer
Responsible Party	Registrar's Office
Approval / Signature	Academic Affairs Committee of the Board of Trustees
Pertinent Dates	Updated 2021; Approved May 9 2022
Related Policies	No related policies
Audience & Applicability	All SIT students and school officials

ABSTRACT

This policy articulates the general framework for SIT's compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended.

POLICY

I. Purpose

This policy informs students of their rights under FERPA and details how SIT protects student education records in accordance with the Act. This policy also distinguishes between education records and directory information.

II. Policy Statement

The [Family Educational Rights and Privacy Act](#) of 1974 as amended ("FERPA") is a federal law that endows eligible students with certain rights pertaining to their education records. In general, these rights include:

1. The right to inspect and review the student's education records within 45 days of the day SIT receives a request for access.

2. The right to request the amendment of the student's education record that the student believes is inaccurate or misleading.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by SIT to comply with the requirements of FERPA.

III. Definitions

Directory Information: SIT may disclose certain information, known as directory information, in its discretion without consent. Directory information is generally not considered harmful or an invasion of privacy if released. Directory information is limited to:

- student's name
- addresses
- telephone numbers
- email address
- dates of attendance
- fields of study
- enrollment status (full-time/part-time) including credit hours
- certificates, diplomas, and degrees conferred including dates, honors, and awards,
- the most recent previous educational agency or institution attended by the student
- participation in officially recognized activities
- internship/practicum location and organization
- anticipated graduation date

Education Record: records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution. These records include but are not limited to: grades; transcripts; class lists; student course schedules; student financial information (at the postsecondary level); and student discipline files.

Eligible Student: a student who has reached 18 years of age or is attending a postsecondary institution at any age. This means that, at the secondary level, once a student turns 18, all the rights that once belonged to his or her parents transfer to the student. However, a secondary

school or postsecondary institution may still provide an eligible student's parents with access to education records, without the student's consent, if the student is claimed as a dependent for IRS tax purposes.

Personally Identifiable Information (PII): a student's name, address, or other information that would allow a student to be identified. FERPA generally prohibits SIT from disclosing PII without the student's consent unless the information has been designated as directory information or another exception applies.

Legitimate Educational Interests: the grounds for a school official to access specific education records containing PII. In general, SIT considers the following situations as legitimate educational interests:

- the information requested is necessary for that official to perform appropriate tasks that are specified in their position description or by a contract agreement.
- the information is to be used within the context of official agency or school business and not for purposes extraneous to the official's areas of responsibility or to the agency or school.
- the information is relevant to the accomplishment of some task or to a determination about the student.
- the information is to be used consistently with the purposes for which the data are maintained.

School Official: a person employed by SIT in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom SIT has contracted (such as an attorney, auditor, collection agent, or official of the National Student Clearinghouse); a person serving on the World Learning 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 also may include a volunteer or contractor outside of SIT who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of Personally Identifiable Information from education records.

In the case of students studying abroad who remain enrolled in their home institution, and, hence, are dually-enrolled in that institution and SIT, a "school official with legitimate educational interests" includes an individual at the home institution with professional

responsibilities for oversight of study abroad. Information that may be shared may include, but is not limited to, academic status, disciplinary actions, dismissal, or withdrawal.

IV. Procedures

Student Education Record Inspect and Review Requests: Students should submit to the Office of the Registrar written requests that identify the record(s) they wish to inspect. Within 45 days of receipt of the initial request, the registrar will arrange access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Office of the Registrar, the registrar shall advise the student of the correct official to whom the request should be addressed.

Student Education Record Amendment Requests: Students should write to the SIT official responsible for the record, clearly identify the part of the record they want corrected, and specify why it is inaccurate or misleading. If SIT decides not to amend the record as requested by the student, SIT will notify the student of the decision and advise the student of their 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.

Directory Information Exclusion Requests: To prevent the release of directory information, students must file a written request with the registrar. The block will remain in effect until the registrar receives a written statement from the student releasing the hold on directory information. Exclusion requests do not affect the ability of School Officials with a Legitimate Educational Interest from accessing Directory Information.

File a Complaint: Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA has occurred. The name and address of the office that administers FERPA appears directly below:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-4605

V. Exceptions

Under FERPA, SIT may release directory information without written consent. SIT may also disclose education records without consent to certain parties and under certain conditions, including but not limited to:

- To school officials with legitimate educational interests
- To officials of other schools in which a student seeks or intends to enroll. In the case of undergraduate students who are dually-enrolled, the Approval of Participation or Student Disclosure Form signed by each applicant to SIT Study Abroad authorizes SIT and the home institution to release educational records to each other.
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as 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.
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local authorities responsible in connection with certain state or federally supported education programs
- To appropriate parties in a health or safety emergency if necessary to protect your health or safety or that of another
- To a victim of an alleged perpetrator of a crime of violence or non-forcible sex offense (only the final results of the disciplinary proceeding, regardless of whether the postsecondary institution concluded that a violation was committed)
- To anyone if the disclosure is in connection with a disciplinary proceeding at SIT if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and with respect to the allegation against him or her the student has committed a violation of the institution's rules or policies
- To accrediting organizations to carry out their functions
- To organizations conducting certain studies for or on behalf of SIT
- To comply with a judicial order or a lawfully issued subpoena or in response to other legal action involving the student and SIT

VI. **Contact Information**

For information about this policy, please contact the Office of the Registrar at registrar@sit.edu.