FERPA Policy (Family Educational Rights and Privacy Act)

**General Policy**
Beloit College recognizes that the protection of the rights of persons requires adherence to clearly formulated institutional policies governing the maintenance of student records. As provided more fully below, the privacy and confidentiality of all student records shall be preserved. Faculty and staff of the College are bound to respect the rights of a student to good reputation and privacy by holding in confidence information they acquire in the course of their work.

**Federal Law**
Beloit College informs students of the Family Educational Rights and Privacy Act (FERPA) of 1974 (20 U.S.C. 1232g and 34 C.F.R., 99.1-99.67), as amended, in registration packets and the student handbook. This Act, with which the institution endeavors to fully comply, was designed to protect the privacy of educational records, and to establish the right of students to inspect and review their educational records. The Act also provides guidelines for the correction of inaccurate or misleading data through informal and formal processes. Students have the right to file complaints with the Family Policy Compliance Office, U.S. Department of Education, concerning alleged failures by the institution to comply with the Act. ([http://www.ed.gov/policy/gen/guid/fpco/ferpa/students.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/students.html))

Requests for disclosure from non-college constituencies and student informal complaints should be directed to the Registrar.

**Definitions**
A. A student is any person who attends or has attended the college.
B. Education records are any records (in handwriting, print, tapes, film, computer, or other medium) maintained by Beloit College or an agent of the College which is directly related to a student except:

1. A personal record kept by a faculty or staff member, if it is kept in the sole possession of the maker of the record, is not accessible or revealed to any other person except a temporary substitute for the maker of the record, and is not used for purposes other than a memory or reference tool.
2. Records created and maintained by the Beloit College Security Office, if the record is maintained solely for law enforcement purposes and is revealed only to law enforcement agencies of the same jurisdiction.
3. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.
4. Records made or maintained by the Student Health Center, if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni records which contain information about a student after he or she is no longer in attendance at the college and which do not relate to the person as a student.
Directory Information

The college has designated the following as directory information: name of student, address (both local and permanent), telephone number (both local and permanent), date of birth, dates of registered attendance, major field of study, degrees and awards received, participation in officially recognized activities and sports, weight and height of members of athletic teams, the most recent previous educational institution attended, and enrollment status (e.g. full-time/part-time).

The policy that such information may be disclosed by the college without prior written consent will be communicated to presently enrolled students through the publication of these guidelines in registration packets and the student handbook, so that an individual student currently enrolled may file a written request with the Office of the Registrar by the end of the first week of classes in any given semester, if she/he does not want directory information to be disclosed and/or does not want address information listed in the Who's Where student directory.

The college issues a Student Directory (Who's Where) each semester solely for internal distribution; it is not sold or distributed to the public.

Students who do not want directory information disclosed after they leave the College should make such a request in writing to the Registrar during their final term at the College.

Types, Locations, and Custodians of Education Records

A. Official academic records are maintained in the Office of the Registrar, 2nd floor, Pearsons Hall. They include admission applications and associated documentation; the completed forms of registration for each semester in residence; the records of grades and credits received in courses at this college or accepted here from another institution; and other documents directly relating to academic progress and status. Relevant records in the student folder, such as a student’s application, transcripts from another institution, and test score reports, are shared with faculty or staff members serving as a student’s academic advisor. Student folders are transferred to the Alumni Office, 613 College Street, 3 years after graduation or withdrawal; these records include admission applications and associated documentation, as well as other official correspondence.

B. Disciplinary records are maintained under the authority of the Dean of Students and her/his designee(s), 2nd floor, Pearsons Hall. They include information about the investigation, adjudication and imposition of sanctions by the college against a student for breach of the college's written policies.

C. Financial records are maintained by the Accounting Office, 2nd floor, Pearsons Hall.

D. Financial aid application records, including tax forms, and work-study authorizations are maintained by the Financial Aid Office, 2nd floor, Pearsons Hall.

E. Employment records, contingent on student status, are maintained by the Office of Human Resources, 726 Church Street.

F. The student records maintained at the student's request by the Career Development section of the Liberal Arts in Practice Center at 803 College Street are treated separately below.

G. Housing records are maintained by the Office of Residential Life, 2nd Floor, Pearsons Hall.
H. Occasional records, such as copies of correspondence in offices not listed, may be made available for inspection and review.

*Users of the Jenzabar Student Records System are considered custodians of those student records to which they have access. Records should not be accessed by the user unless a legitimate educational interest exists or some other provision of the policy authorizing release applies.*

**Career Development**

The file of a student maintained in the Career Development section of the Liberal Arts in Practice Center is assembled at the initiative of the student. The extent of disclosure to prospective employers, graduate schools, organizations awarding fellowships and the like shall be made clear to the student when he or she requests that the file be assembled and shall be agreed to by him or her on a form specifically provided for that purpose.

The student may make a specific waiver of access to evaluations solicited and/or received under condition of confidentiality, but the waiver must be made by the student without pressure or coercion. Any evaluation received under such condition of confidentiality without the student's waiver of access or without the student's knowledge shall not be incorporated in the file but shall be returned to the sender.

**Disclosure of Education Records**

Beloit College will disclose non-directory information from a student's education records only with the written consent of the student, except that the records may be disclosed without consent when the disclosure is:

A. To school officials who have a legitimate educational interest in the records.

   A *school official* is:  
   A person employed by the college in an administrative, supervisory, academic or research, or support staff position, including health or medical staff.  
   A person elected to the Board of Trustees.  
   A person employed by or under contract to the college to perform a special task, such as an attorney or auditor.  
   A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his or her tasks.

   A school official has a *legitimate educational interest* if the official is:  
   Performing a task that is specified in his or her position description or contract agreement.  
   Performing a task related to a student's education.  
   Performing a task related to the discipline of a student.  
   Providing a service or benefit relating to the student or student's family, such as health
care, counseling, job placement, or financial aid. Maintaining the safety and security of the campus.

The determination as to whether or not a legitimate educational interest exists will be made by the custodian of the records on a case by case basis. When the custodian has any question regarding the request, the custodian should withhold disclosure unless the custodian obtains consent from the student, or the concurrence of a supervisor or other appropriate official that the record may be released.

B. To officials of another school, upon request, in which a student seeks or intends to enroll. The student shall receive notification of the disclosure unless the student initiated the disclosure.

C. To certain officials of the Comptroller General of the United States, the U.S. Department of Education, and state and local educational authorities, in connection with certain state or federally supported education programs, and authorized representatives of the Attorney General for law enforcement purposes.

D. To school officials or lending institutions, 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 the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

E. To state and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.

F. To organizations conducting studies for, or on behalf of, the college, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.

G. To accrediting organizations in order to carry out their accrediting functions.

H. To comply with a judicial order or lawfully issued subpoena, provided the college makes a reasonable effort to notify the student of the order or subpoena in advance of compliance. Notification may be prohibited if the college receives a federal grand jury subpoena or any other subpoena which states that the student should not be notified.

I. To an alleged victim of any crime of violence as that term is defined in Section 16 of Title 18, United States Code, or a non-forcible sex offense, the final results of any disciplinary proceeding conducted by an institution of postsecondary education against the alleged perpetrator of that crime or offense with respect to that crime or offense.

J. To Veterans Administration Officials pursuant to 38 USC 3690 (c).

K. To the court those records that are necessary to defend the institution when a student initiates legal action against the institution.

L. To medical, emergency, law enforcement, or other appropriate personnel in connection with an emergency, if the knowledge of such information is necessary to protect the health or safety of the student or others under terms described below.

M. To the Attorney General or any other designated federal officer, who has obtained an ex parte judicial order for access to education records in the investigation of an act of domestic or international terrorism, under the terms defined in the “Patriot Act” of October 2001.
Disclosure of Education Records in an Emergency

The privacy of all records may be broken at a time of emergency defined in terms of the following considerations:

1. The seriousness of the threat to health or safety of the student and others.
2. The need for access to the record in meeting the emergency.
3. Whether the person requesting the records is in a position to deal with the emergency.
4. The extent to which time is of the essence in dealing with the emergency.

Under the provisions of FERPA, if any law enforcement agency requesting student education records states in writing that this information is necessary in order to “protect the health and safety of the student or other individual”, the college will provide the requested information.

Parental Notification

The college will not release educational record information to parents without student consent except when a student is (1) in a medical emergency; or (2) serious or second offense of the alcohol policy.

Students who wish to release educational record information to parents, may do so by signing a release statement in the Dean of Students Office. Students may choose which portions of their educational record information they wish to have released.

Right of the College to Refuse Student Access to Records

Beloit College reserves the right to refuse to permit a student to inspect the following records:

1. Record of parents' financial status.
2. Any and all documents for which the student has waived his or her right of access, or which were placed in the file before January 1, 1975.
3. Records connected with an application to attend the college, if that application was denied, or accepted and the applicant never enrolled.
4. Those records which are excluded from the FERPA definition of education records.

Student Access to Records

Students wishing to have access to their educational record information should contact the Registrar.

Except as described above, access to a student's official academic record, disciplinary record, and financial aid record is guaranteed to him/her subject only to reasonable regulation as to time, place, and supervision.
A student may inspect and review their education records upon written request to the appropriate record custodian within the college. The request should identify as precisely as possible the record or records he or she wishes to inspect.

No documents or files may be altered or removed once a request has been filed.

The record custodian or a designated college staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

*When a record contains information about more than one student, the student may inspect and review only the records which relate to him/her.*

**Refusal to Provide Copies**

Beloit College reserves the right to deny transcripts or copies of records not required to be made available by the FERPA in the following situations:

1. The student has an unpaid financial obligation to the college.
2. There is an unresolved disciplinary action against the student.

**Fees for Copies of Records**

A fee of $5.00 is charged for official transcripts. The fee for copies of other educational records is $0.25 per page plus any applicable postage. These fees are subject to change.

**Correction of Education Records**

If, upon inspection and review of his or her record, the student believes that the record is inaccurate, misleading or otherwise in violation of his or her privacy rights, he or she may ask that the record be changed or may insert a statement in the file. Any disagreement should be resolved informally, if possible, through a meeting between the student and the person (or her/his designee) responsible for the maintenance of the record segment in question.

Only the Registrar, upon consultation with the Provost of the College, may authorize a correction in a record within the academic file of a student. Similar responsibility is exercised by the Dean of Students, the Director of Admissions, the Director of Student Financial Services, and the Director of Human Resources for the records which are maintained under their authority.

Should the request for a change be denied, the student will be notified of the college's decision and advised of the right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's privacy rights. Upon the student's written request, the college will arrange for a hearing and notify the student, reasonably in advance, of the date, place, and time of the hearing. The hearing committee will be comprised of three members of the Academic Performance Committee who are disinterested parties. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to
amend the student’s education records. The college will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and reasons for the decision. The decision of the hearing committee shall be final.

If the college decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended. If the college decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the student of the right to place in the record a statement commenting on the challenged information and a statement setting forth reasons for disagreeing with the decision. Such a statement shall become a part of the information contained in the education record and will be disclosed with it.

**Record Keeping Requirements**

The appropriate records custodian will maintain a record of requests for and/or disclosures of information from a student's education records. The record will indicate the name of the party making the request and what records, if any, were received, the legitimate interest in the records, any additional party to whom it may be redisclosed, and the legitimate interest the additional party had in requesting or obtaining the information. The record may be reviewed by the student. This record keeping is not required if the request was from, or the disclosure was to:

1. the student;
2. a school official determined to have a legitimate educational interest;
3. a party with written consent from the student;
4. a party seeking directory information or
5. a Federal grand jury or law enforcement agency pursuant to a subpoena that by its terms requires nondisclosure.

**Information About This Policy**

The Office of the Registrar will maintain general information concerning the federal law and the college's policy as contained in these guidelines. It will make available a file containing the Act and the regulations of the Secretary of the Department of Education and will refer students desirous of examining their records to the office of the appropriate administrative official. At the present time the following are the administrative officials concerned:

Dean of Students: Christina Klawitter  
Registrar: Mary Boros-Kazai  
Controller: Tim Miles  
Director of Career Development: Jessica Fox-Wilson  
Director of Financial Aid: Michelle Curtis  
Director of Human Resources: Heather McLean

*updated 9/28/16*