

Academic Policies and Procedures: Graduation, Transcripts and Student Records

Student Records

Notification of Rights under FERPA (Family Educational Rights and Privacy Act)

The purpose of the Family Educational Rights and Privacy Act of 1974 as amended (FERPA) is to afford certain rights to students concerning their education records. The primary rights afforded are the right of the student to inspect and review their education records, to request amendments to their records, and to have some control over the disclosure of personally identifiable information (PII) from their records. The College's FERPA policies are disclosed in the College's course catalogs and on the College's website. Students will be notified of their FERPA rights annually through the College's email system. Students who would prefer to receive a hardcopy of their FERPA rights can contact the Office of the Registrar.

Under the Family Educational Rights and Privacy Act (FERPA), Albertus Magnus College students are afforded certain rights when it comes to educational records. The information below outlines these rights including the disclosure of personally identifiable information (PII). Education records are not accessible to a parent or guardian without a student's written consent, unless the parent/guardian provides a certified copy of the most recent Federal income tax return that shows the student is a dependent. However, if the College believes it is in the student's best interest, information from the education record may be released to a parent/guardian in certain cases, such as:

- when a student's health or safety is in jeopardy;
- when a student engages in alcohol or drug-related behavior that violates College policies;
- when a student has been placed on academic probation;
- when a student has voluntarily withdrawn from the College or has been required by the College to withdraw;
- when a student's academic good standing or promotion is at issue;
- when a student has been placed on a Behavior Contract or stronger restriction;
- when a student engages in behavior calling into question the appropriateness of the student's continued enrollment at the College.

A student has the right to consent to disclose PII contained within their education record, except where FERPA authorizes disclosure without consent. Information may be released:

- to the student.

- to the parent(s) of a dependent student.
- to a College official.
- to a party seeking directory information.
- to a party receiving the information pursuant to a judicial order or lawfully issued subpoena.
- to parties otherwise authorized to receive the information pursuant to FERPA.

If a student wishes the information to be released to a third party, they would file a Permission to Release Educational Information form with the appropriate office.

| Type of Record | Location |
|---|--------------------------------------|
| | |
| Academic, Placement, Directory Information | Office of the Registrar |
| (Official college transcripts, other document records containing admission documents and basic student data, notices of transfer credit and previous college transcripts, etc.) | |
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| Academic Progress/Grades | Office of Academic Affairs |
| (Correspondence regarding academic progress, grades and status) | Office of Community Standards |
| | |
| Discipline | |
| (Files concerning extracurricular and non-academic correspondence along with confidential disciplinary files) | |
| | |
| Financial Records | Bursar's Office/Financial Aid Office |
| (Maintaining financial aid files) | |
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| Medical Records | Health Center |
| (Medical Records that are submitted to the College are held for 7 years from when a student graduates or leaves the College) | |

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Access to Education Records

If a student wishes to inspect and review their education records, they should make a request in writing to the custodial office of the specific record they wish to review (see the table above for the correct custodial office). If a student does not know to which custodial office to make the request, they may contact the Office of the Registrar. The custodial office must respond to the written request within 45 days. When a record contains information about more than one student, the requesting student may inspect and review only the portion of the record which relates to them. The College reserves the right to charge the student for copying, copying time, and postage should such services be requested. If a student experiences a financial hardship and is unable to incur the cost of copying records, the College will make reasonable opportunities for the student to view and inspect the records.

The College may refuse access to the following records:

- Financial statement of the student's parent(s);
- Letters and statements of recommendation for which the student has waived their right of access or which were placed in file prior to January 1, 1975;
- Records connected with an application to attend Albertus Magnus College or a component unit of Albertus Magnus College if that application was denied;
- Those records which are excluded from the FERPA definition of education records.

Amendment of Education Records

If a student believes that their education record is inaccurate or misleading, they may make a request in writing to the appropriate custodial office identifying which records they wish to have amended and providing supporting documentation as to why they desire the amendment. Albertus Magnus College may comply with the request to amend or it may decide not to comply.

If it decides to comply, the Office of the Registrar will notify the student in writing within 45 days of the request, amend the record and place a statement in the student's file which will include the reasons for the amendment.

If it decides not to comply, the Office of the Registrar will notify the student in writing of the decision and advise the student of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights within 45 days of the students' request. Upon request by the student for a hearing, the Office of the Registrar will arrange for a hearing and notify the student of the date, place, and time of the hearing within 45 days. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the College. 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 education record. The student may be assisted by one or more individuals, including an attorney.

The student will be notified in writing of the final decision within 45 days of the hearing. The notification will include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the College decides that the information in the education record is deemed accurate, the College will place a notice in the student's file which will include a summary of the evidence and the reasons for the decision and inform the student of their right to place a statement in the record commenting on the contested information in the record or stating why they disagree with the decision of the College.

If, as a result of the hearing, the College decides that the information in the education record is deemed inaccurate, misleading, or otherwise in violation of the privacy of the rights of the student, the College will amend the record, will place a notice in the student's file which will include a summary of the evidence and the reasons for the decision and inform the student of their right to place a statement in the record commenting on decision.

The College will maintain the College's and student's statements with the contested part of the record and disclose the statement whenever it discloses the portion of the record to which the statements relate.

Directory Information/Privacy Blocks

Albertus Magnus College designates directory information as: student name, address, telephone number, email address, date and place of birth, major field of study, dates of attendance, full or part time status, expected date of degree completion and graduation and awards received, class rosters and the most recent previous educational agency or institution attended by the student. For varsity, athletes directory information also includes: height, weight, hometown, and home state. If a student does not wish to have their directory information released, they must complete within two weeks of the beginning of the academic term a nondisclosure form available in the Office of the Registrar in Aquinas Hall.

Once a student completes and submits this form, their directory information will be withheld for life, even after they are no longer a student, unless they rescind the request in writing. A copy of the request will be kept in the student's education file.

- If a student blocks directory information, it may still be inspected by those College officials authorized by FERPA to inspect education records without consent.
- Blocking directory information does not allow a student to be anonymous within the classroom. A student's name, student identification number and College email address cannot be blocked in a class in which a student is enrolled.
- If the College requires a student to wear, to publicly display, or to disclose the student ID card that exhibits information that may be designated as directory information the student cannot block the information.
- If a student blocks their directory information, it cannot be released to friends, family, prospective employers, the news media, student activities and honor societies.
- Some reasons for considering a privacy block on directory information may include harassment, or the advice of a legal or medical professional.
- If a student would like to keep directory information private, but release information so it can be published in commencement programs and honor lists, they must contact the

Office of the Registrar in Aquinas Hall and submit their request in writing. A copy of the request will be kept in the student's education file.

College Officials with Legitimate Educational Interests

A student's education records may be disclosed, without consent, to College officials with legitimate educational interests. These include, but are not limited by FERPA policy, people employed by the College in administrative, supervisory, academic, research, or support staff roles (including Campus Security and Health Center Staff); people contracted by the College as an agent for the College to perform particular services (such as an attorney, auditor or collection agent); people serving on the Board of Trustees; students serving on official committees or assisting other school officials in performing tasks, or volunteers or other non-employees with legitimate educational interests; a legitimate educational interest is present if the College official needs to review an education record in order to fulfill professional responsibilities.

Under FERPA, the College may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the student.

The officers, employees, and agents of a party that receives such information may use the information, but only for the purposes for which the disclosure was made.

Reports of Academic Progress, Status and Disciplinary Action to Parents

It is College policy to send academic progress and status reports directly to students. If parents or guardians wish to receive correspondence about academic progress, status and disciplinary actions (usually grade reports, letters relating to dean's list, probation), requests can be made to the Office of the Registrar by:

- The student who completes the Permission to Release Educational Information form in the Office of the Registrar requesting reports be sent to parents or legal guardians;
- Parents or guardians who make a written request to the Office of the Registrar indicating that the student is a dependent and providing evidence that the parents or guardians declared the student as a dependent on their most recent Federal Income Tax form.

Release of confidential information to parents and disclosure of directory information to others are separate issues. The student may allow one and deny the other. For example, students may release confidential information to parents and at the same time prevent disclosure of directory information to others. Permission to Release Educational Information forms are available in the Office of the Registrar in Aquinas Hall. When access is granted to one parent, the College must grant equal access to the other parent upon request, unless presented with a court order or other legally binding document that states otherwise. Students may terminate their release of information to parents by providing written notice to the Office of the Registrar. A copy of the request will be kept in the student's education file.

Record Maintenance

Student education records are defined under FERPA as records directly related to a student and maintained by the institution or by a party acting for the institution. This includes any information or data recorded in any medium, including handwriting, print, tapes, film, microform, and any other form of electronic data storage. Student education records are maintained in a number of College offices, such as the Office of the Registrar, Office of Academic Affairs, Office of the Dean of Students, the College Health Center, Departmental Offices, Office of Financial Aid, Bursar's Office, Office of Career & Professional Development and Experiential Learning, and the Division of Professional and Graduate Studies. Students are invited to consult with the Office of the Registrar about other offices that may maintain student educational records.

Procedures governing the maintenance and ultimate disposition of student education records are different from one area to another.

A full schedule regarding the location of documents and the Colleges document retention is available at <https://www.albertus.edu/policy-reports/document-retention-policy>.

Inspection and Review of Educational Records

The Family Educational Rights and Privacy Act of 1974, as amended (FERPA), affords students the right to inspect and review their education records within 45 days of the date the College receives a request for access.

- 1 All students who are or have been in attendance at Albertus Magnus College shall have the right to inspect and review their education records, subject to the limitations provided under applicable regulations of FERPA. Students should submit to the Office of the Registrar, Vice President for Academic Affairs, Dean of Students, or other appropriate official, a written request that identifies the records they wish 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 Under FERPA, a student ID number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user; and a student ID number or other unique personal identifier that is displayed on a student ID badge cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

3. Under FERPA, certain records are not part of the student's education record, such as:
 - Notes about students by individual staff or faculty members which are retained in the sole possession of the maker of the record and not accessible or revealed to any other person
 - Records maintained by the College Health Clinic which are used only for treatment of a student and made available only to those persons providing treatment
 - Employment records of individuals whose employment is not contingent on the fact that they are a student, provided the record is used only in relation to the individual's employment
 - Alumni records which contain information about a student after they are no longer in attendance at the College and which do not relate to the person as a student
 - Records created or received by the College after the student is no longer a student in attendance and that are not directly related to the student's attendance while a student
4. Under FERPA, the College is not required to permit students to inspect and review:
 - Financial information submitted by parents
 - Confidential letters and statements of recommendations concerning which the student has waived their rights to inspect and review
5. In cases where the student is not within commuting distance of campus, and is therefore physically unable to be present to view the record on campus, the student may request a copy of the records for a fee (contact the appropriate office for fees). To obtain copies of transcripts and source documents such as test scores from other institutions, students must contact the originator of those records. The College does not copy transcripts of other schools for student use. For students who have unpaid financial obligations to the College, alternative arrangements may be made at the student's expense to view their records. For this service, students need to send a written request addressed to the Office of the Registrar. A copy of the request will be kept in the student's education file.
6. Under FERPA, the College shall not destroy any education records if there is an outstanding request to inspect and review the education records.
7. Under FERPA, the College maintains a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, as well as the names of State and local educational authorities and Federal officials and agencies listed in 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent under 99.33(b). The College shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record will include the parties who have requested or received personally identifiable information from the education records and the legitimate interests the parties had in requesting or obtaining the information. Students requesting to review their education record will have access to this record.

Student Consent to Disclose Educational Records

The Family Educational Rights and Privacy Act affords students 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. One

exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff person (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor or collection agency); 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 their tasks. A school official has a legitimate educational interest and the official needs to review an educational record in order to fulfill their professional responsibility.

As provided by FERPA, the College may also disclose educational records or components thereof without written consent of students to designated persons and agencies including but not limited 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 in connection with certain state or federally supported education programs;
- U.S. Immigrations and Customs Enforcement in compliance with the Student Exchange Visitor Information System program for nonimmigrant students with an F, J, or M visa;
- Officials of other institutions in which a student seeks or intends to enroll, in which case the Office of the Registrar will make a reasonable attempt to inform the student of disclosure;
- Persons or organizations providing financial aid to students or determining financial aid decisions;
- State and local officials to whom disclosure is required by State statute adopted prior to November 19, 1974;
- Organizations conducting certain studies for, or on behalf of, educational agencies or institutions;
- Accrediting organizations carrying out their accrediting functions;
- Parents of a student who have established that student's status as a dependent according to Internal Revenue Code of 1986, Section 152;
- Persons in compliance with a judicial order, lawfully issued subpoena, or IRS Summons in which case a reasonable attempt will be made to inform the student of the disclosure except when required by law or court order;
- Persons in an emergency, if the knowledge of information is necessary to protect the health or safety of students or other persons;
- A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense (as defined in 34 CFR Part 990, the final results of the disciplinary proceeding conducted by the institution with respect to the alleged crime or offense);
- Interested individuals, subject to the requirement of 34 CFR Part 99, the name, violation committed, and sanction imposed by the institution against a student who has committed a violation of the institutions rules or policies in connection with the alleged perpetration of a crime of violence or a non-forcible sex offense;
- Parents regarding the student's violation of any federal, state or local law, or of any institutional policy or rule governing the use of alcohol or a controlled substance, if the institution has determined that the student has committed a disciplinary violation with

respect to the use or possession, and the student is under the age of 21 at the time of the disclosure to the parent.

- Interested individuals, when the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 and the information was provided to the College under 42 U.S.C. 14071 and applicable federal guidelines.

Under FERPA, the College may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the student. The officers, employees, and agents of a party that receives such information may use the information, but only for the purposes for which the disclosure was made.

Under FERPA, the College will maintain a record when the College discloses personally identifiable information from education records under the health or safety emergency exception. The record of the disclosure will include the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information.

Conflicts with State or Local Law

If the College determines that it cannot comply with FERPA due to a conflict with state or local law, it must notify the U.S. Department of Education within 45 days, giving the text and citation of the conflicting law. If another recipient of Department funds under any program administered by the Secretary or a third party to which personally identifiable information from education records has been non-consensually disclosed determines that it cannot comply with FERPA due to a conflict with state or local law, it also must notify the Office within 45 days, giving the text and citation of the conflicting law.

Filing a Complaint

If a student feels that the College has failed to comply with FERPA requirements, they have the right to file a complaint with the U.S. Department of Education's office that administers FERPA at:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

All complaints must be filed within 180 days of the alleged violation.