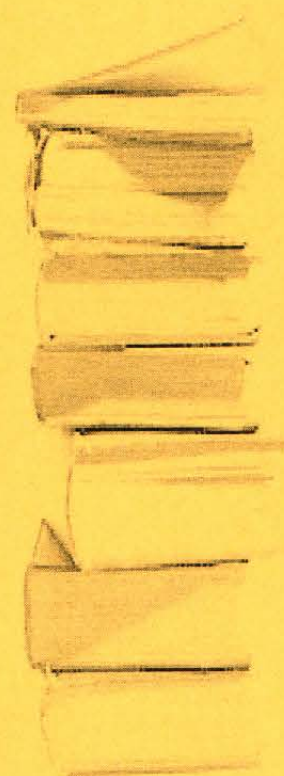
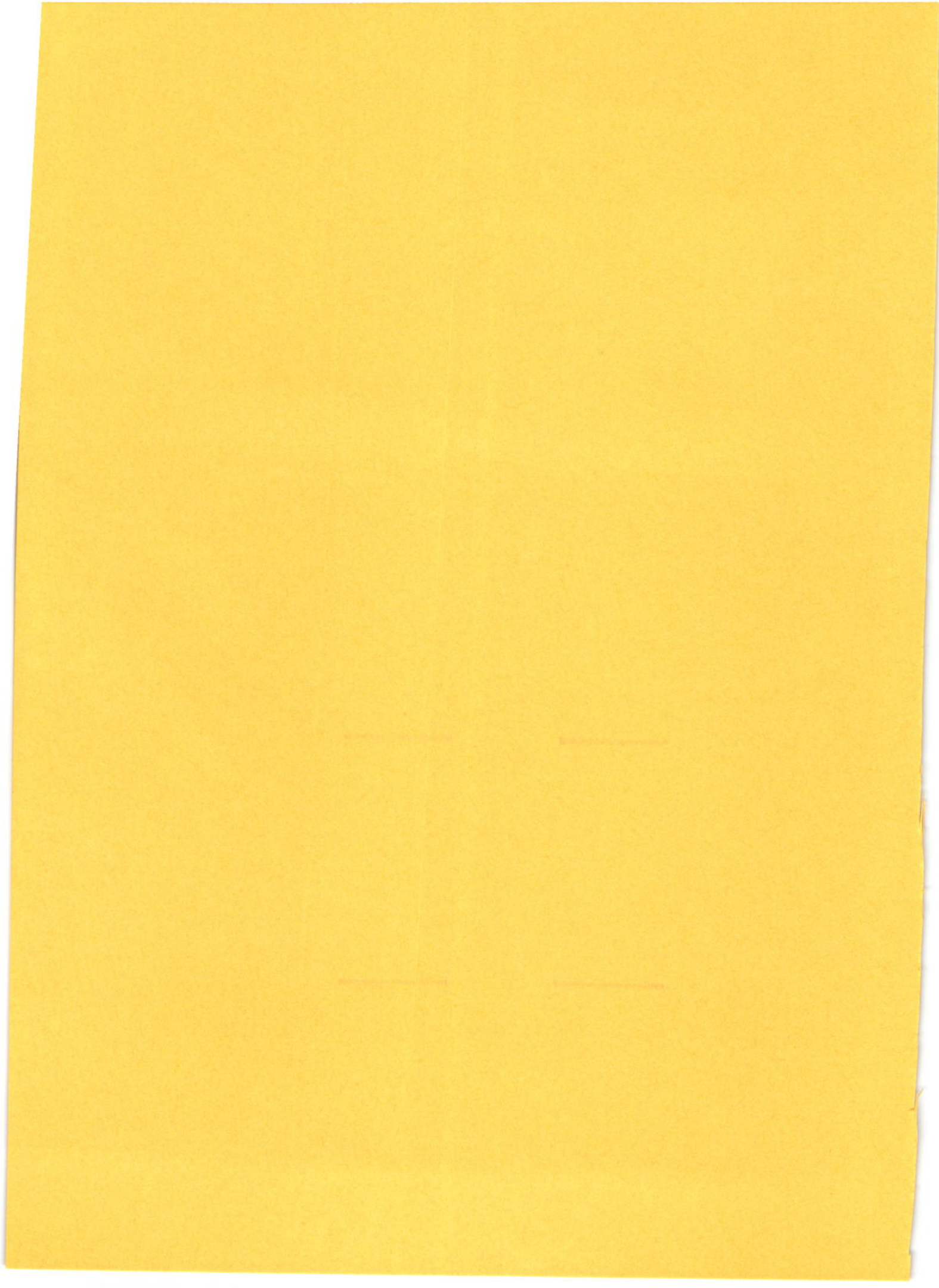


**FERPA IN FIVE MINUTES!
WILLIAM CAREY
UNIVERSITY**

**Office of the Registrar
William Carey University**

AACRAO
Federal Compliance
Committee





FERPA IN FIVE MINUTES!

I. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

II. THE ESSENCE OF THE ACT

III. KEY CONCEPTS AND KEY TERMS

IV. WHAT IS AN EDUCATION RECORD?

V. WHAT DOES PERSONALLY IDENTIFIABLE MEAN?

VI. WHAT AN EDUCATION RECORD IS NOT

VII. SOLE POSSESSION NOTES

VIII. REQUIREMENTS FOR COMPLIANCE

IX. DIRECTORY INFORMATION

X. WHAT CAN DIRECTORY INFORMATION NEVER INCLUDE?

XI. SCHOOL OFFICIALS

XII. LEGITIMATE EDUCATIONAL INTEREST

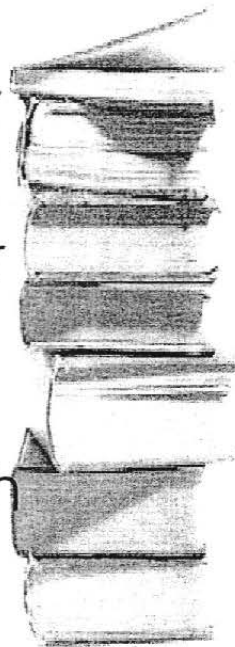
XIII. DISCLOSURE WITHOUT WRITTEN CONSENT

XIV. SAMPLE PERMISSION LETTER TO WRITE A LETTER OF
RECOMMENDATION

XV. THE AUTHORITATIVE SOURCE

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

“A Federal Law designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings.”



FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

This act is enforced by
the

Family Policy
Compliance Office,
U.S. Department of
Education,
Washington, D.C.



THE ESSENCE OF THE ACT

- College students must be permitted to inspect their own education records.
- School officials may not disclose personally identifiable information about students nor permit inspection of their records without written permission unless such action is covered by certain exceptions permitted by the Act.



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KEY CONCEPTS

- Required annual notification
- Written permission required for disclosure of student education record
- The exceptions to written permission of student
- Students' right to access their records
- The "musts" and "mays" in FERPA
- Parents/parental disclosure
- Legitimate Educational Interest



5

KEY TERMS

- Education Record
- Personally Identifiable
- Directory Information
- School Official



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WHAT IS AN "EDUCATION RECORD?"

- Any record, with certain exceptions, maintained by an institution that is directly related to a student or students. This record can contain a student's name(s) or information from which an individual student can be personally (individually) identified.
- These records include: files, documents, and materials in whatever medium (handwriting, print, tapes, disks, film, microfilm, microfiche) which contain information directly related to students and from which students can be personally (individually) identified.



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“PERSONALLY IDENTIFIABLE”

Personally Identifiable means data or information which includes:

1. The name of the student, the student's parent, or other family members;
2. The student's campus or home address;
3. A personal identifier (such as a social security number or student number);
4. A list of personal characteristics or other information which would make the student's identity easily traceable.



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WHAT AN EDUCATION RECORD IS NOT!

- "Sole Possession" notes
- Law enforcement unit records
- Records maintained exclusively for individuals in their capacity as employees
 - Records of individuals who are employed as a result of their status as students (work study) are education records.
- Doctor-patient privilege records
- Alumni Records



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"SOLE POSSESSION NOTES"

Are made by one person as an individual observation or recollection, are kept in the possession of the maker, and are only shared with a temporary substitute.

- This term has always been narrowly defined.
- Notes taken in conjunction with any other person are not sole possession notes (counselor's notes, interview notes)
- Sharing these notes with another person, or placing them in an area where they can be viewed by others makes them "education records" and subject to FERPA.
- Best advice: If you don't want it reviewed, don't write it down.



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WHAT IS AN EDUCATION RECORD ? (SUMMARY)

If you have a record that is:

- Maintained by your institution
- Personally identifiable to a student (directly related to a student and from which a student can be identified)
- Not one of the excluded categories of records...

Then, you have an education record and

It is subject to FERPA



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REQUIREMENTS FOR COMPLIANCE

What we must do...

- Provide annual notification to students of their FERPA Rights
- Provide students access to their education records



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REQUIREMENTS FOR COMPLIANCE

- Provide annual notification to students of their right to:
 1. Inspect and review their education records
 2. Request an amendment to their education records
 3. A hearing if the request for an amendment is unsatisfactory
 4. Request that the institution not disclose directory information items about them
 5. File a complaint with the U.S. Department of Education



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REQUIREMENTS FOR COMPLIANCE

- Provide annual notification to students of their right to:
 6. Know that 1) school officials within the institution may obtain information from education records without obtaining prior written consent, 2) the criteria for determining who will be considered school officials and 3) what legitimate educational interest will entitle school officials to have access to education records



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REQUIREMENTS FOR COMPLIANCE

- Provide annual notification to students of their right to:
 7. Know which information the institution has designated as public or directory information.

Note: This notification of directory information is **NOT** required to be included in the annual notification.



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REQUIREMENTS FOR COMPLIANCE

Directory Information

- Although not required to be included in the institution's annual notification, the institution must notify student of what information the institution has designated as directory information.
- The Family Policy Compliance Office has recommended that this notification be part of the institution's annual FERPA notification to students.



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REQUIREMENTS FOR COMPLIANCE

Directory Information

- Information not normally considered a violation of a person's privacy
- Students must be notified of the items of directory information
- Students must be given the opportunity to request that directory information not be released. This right of non-disclosure applies to directory information only.



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WHAT CAN DIRECTORY INFORMATION INCLUDE?

Directory Information may include the following student information:

- Student's name
- Address
- Telephone number
- Date/place of birth
- Major
- Fields of study
- Participation in officially recognized activities and sports
- Height/weight of athletic team members
- Dates of attendance
- Degrees and awards received
- Most recent educational institution attended
- Other similar information as defined by the institution that would not normally be considered an invasion of a student's privacy



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WHAT CAN DIRECTORY INFORMATION INCLUDE?

Directory Information may include the following recent additions to student information:

- E-mail address
- Photographs



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WHAT CAN DIRECTORY INFORMATION NEVER INCLUDE?

- Race
- Gender
- Social Security Number
- Grades
- GPA
- Country of citizenship
- Religion

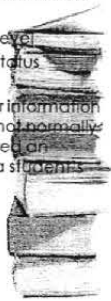


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DIRECTORY INFORMATION WILLIAM CAREY UNIVERSITY

William Carey University has designated Directory Information according to the Family Educational Rights and Privacy Act of 1974 to be the student's:

- Name
- Local and permanent address/telephone number
- Date/place of birth
- Major field(s) of study
- Participation in officially recognized activities/sports
- Weight/height of members of athletic teams
- Dates of attendance
- Degrees and awards received and dates
- Most recent previous educational institution attended
- Academic level
- Enrollment status (FT/PT)
- Other similar information that would not normally be considered an invasion of a student's privacy



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DIRECTORY INFORMATION

- It is important to remember that directory information be defined as such.
- If a data element isn't defined as directory information **if isn't** directory information and can only be released if the student's written permission is obtained or the release can be justified under one of the expectations to student's written permission found in FERPA.



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REQUIREMENTS FOR COMPLIANCE

- Provide annual notification to students of their right to:

Know that 1) school officials within the institution may obtain information from education records without obtaining prior written consent, 2) the criteria for determining who will be considered school officials and 3) what "legitimate educational interests" will entitle school officials to have access to education records.



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"SCHOOL OFFICIALS"

A school official can be a person:

1. Employed by the college in an administrative, supervisory, academic, research, or support staff position (including law enforcement and health staff personnel).
2. Elected to the Board of Trustees.
3. Or company employed by or under contract to the college to perform a special task such as the attorney, auditor, or collection agency.
4. Or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.



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"LEGITIMATE EDUCATIONAL INTEREST"

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.



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REQUIREMENTS FOR COMPLIANCE

- Provide students with access to their education records

They have the right to:

- 1) Inspect and review within 45 days of the request to inspect.



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REQUIREMENTS FOR COMPLIANCE

Provide students with access to their education records

- Limitations to the right to inspect
 - Parental financial information
 - Confidential letters and recommendations to which the student has waived his/her right of inspection
 - Education records containing information about more than one student
 - The institution **must permit access** to that part of the record which pertains only to the inquiring student



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

Institutions shall obtain written consent from the student before disclosing any personally identifiable information from their education records (with the exceptions as noted in sections 2 and 3 below). The written consent must:

- a. Specify the records to be released
- b. State the purpose of the disclosure
- c. Identify the party or parties to whom disclosure may be made
- d. Be signed and dated by the student.



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

2. Institutions must disclose education records **without written consent** of students to the following:

- a. Students who request the information from their own records



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- a. Authorized representatives of the following for audit, evaluation, or enforcement of federal and state supported programs:
 - Comptroller General of the United States
 - The Secretary of the United States Department of Education
 - U.S. Attorney General (law enforcement only)
 - State educational authorities



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- b. Personnel within the institution determined by the institution to have a legitimate educational interest
- c. Officials of other institutions in which the student seeks to enroll, on condition that the issuing institution makes a reasonable attempt to inform the student of the disclosure



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- d. Persons or organizations providing to the student financial aid, or determining financial aid decisions
- e. Organizations conducting studies to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction



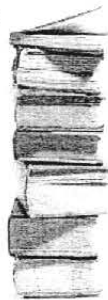
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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- f. Accrediting organizations carrying out their accrediting functions
- g. Parents of a student who have established that student's status as a dependent - IRS Code of 1986, Section 152



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records ***without written consent*** of students to the following:

h. Persons in compliance with a judicial order or a lawfully issued subpoena, provided that the institution first make a reasonable attempt to notify the student.

Exception: if the subpoena is issued from a federal grand jury, or for a law enforcement purpose, and orders the institution not to notify the student.



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records ***without written consent*** of students to the following:

i. A court if the student has initiated legal action against the institution or the institution has initiated legal action against the student



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- j. Persons in an emergency, if the knowledge of information, in fact, is **necessary** to protect the health or safety of the student or other persons



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- k. An alleged victim of any crime of violence or the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- l. Veterans Administration officials in response to requests related to VA programs
- m. Representatives of Homeland Security for purposes of the coordinating interagency partnership regulating international (CIPRIS)



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records **without written consent** of students to the following:

- n. Parents of a student under the age of 21 regarding a violation of any law, at any level, or institutional policy or rule governing the use of alcohol or a controlled substance

Does not supersede any state law that prohibits disclosure of this information.



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

3. Institutions may disclose education records ***without written consent*** of students to the following:

- o. The public regarding the ***final results*** of an institutional disciplinary proceeding as long as the student has been determined to be the alleged perpetrator of a crime of violence or non-forcible sex offense



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WHAT DO THE "FINAL RESULTS" INCLUDE?

- Must include only: the name of the student, violation committed, and any sanction imposed by the institution against the student.
- The institution may not disclose the name of any other student, including a victim or witness, without prior written consent of the other student.



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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

4. Institutions may disclose information about students to their parents by any of three procedures:
 - a. By obtaining the student's written consent
 - b. By having the parents establish the student's dependency as defined by Internal Revenue Code of 1986, Section 152
 - c. By exercising its disclosure option on any students under age 21 regarding a violation of an institutional rule or federal, state, or local law regarding the use of alcohol or controlled substance as long as state law permits.



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WHAT ABOUT PARENTS?

- When a student reaches the age of 18 or begins attending a postsecondary institution regardless of age, FERPA rights transfer to the student.
- Parents may obtain directory information only at the discretion of the institution.
- Parents may obtain non-directory information (grades, gpa, etc.) only at the discretion of the institution **AND** after it has been determined that their child is legally their dependent.
- Parents may also obtain non-directory information by obtaining a signed consent from their child.



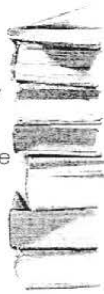
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PROCEDURES AND STRATEGIES FOR COMPLIANCE

A. Disclosure of educational record information

5. Institutions may release without written consent those records identified as public or directory information for students who are currently enrolled with the following conditions:

- a. That the institution inform the students of those categories designated as directory information
- b. That students be given the opportunity to refuse disclosure of any or all categories
- c. That the students be given a reasonable period of time in which to state such refusals in writing



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SAMPLE PERMISSION LETTER TO WRITE A LETTER OF RECOMMENDATION

I give permission to Prof. Kostal to write a letter of recommendation to:

Annie's Catering
344 Willow Dr.
Lynchburg VA 24502

Prof. Kostal has my permission to include my grades, GPA, and class rank in this letter.

I waive/do not waive my right to review a copy of this letter at any time in the future.

Signed _____

Date _____



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THE AUTHORITATIVE SOURCE

Family Policy Compliance
Office

LeRoy Rooker, Director
U.S. Department of
Education

400 Maryland Ave., SW
Washington, D.C. 20202-
5920

202-260-3887 (phone)

202-260-9001 (fax)

ferpa@ed.gov

[http://www.ed.gov/policy/
gen/guid/fpco/index.ht
ml](http://www.ed.gov/policy/gen/guid/fpco/index.html)



ADDITIONAL MATERIALS

- **2009 MAJOR REVISIONS**
- **INSTITUTIONAL FERPA POLICY**
- **ITEMS ON THE WEBSITE RELATED TO FERPA**
- **FERPA AS NOTED IN THE FACULTY HANDBOOK**
- **ANNUAL NOTIFICATION AND DIRECTORY INFORMATION IN “THE RED BOOK”**

2009 MAJOR REVISIONS

The following points summarize the major revisions on the 2009 amendments:

Court rulings are reflected in the 2009 regulations, as are several clarifications based on Department case history. These include:

- ❑ In response to the September 11, 2001 terrorist attacks on the United States, Congress passed the *USA Patriot Act* which amended FERPA to permit educational agencies and institutions to disclose—without the consent or knowledge of the student or parent—personally identifiable information from the student's education records to the Attorney General of the United States or to his designee in response to an *ex parte* order in connection with the investigation or prosecution of terrorism crimes specified in sections 2331 and 2332b(g)(5)(B) of Title 18, U.S. Code.
- ❑ *The Campus Sex Crimes Prevention Act* amended FERPA in 2000 to permit educational institutions to disclose information concerning registered sex offenders that they receive under community notification programs and pursuant to the Wetterling Act.
- ❑ In *Owasso Independent School District v. Falvo* (2002), the Court held that peer grading does not violate FERPA as long as an education record has not yet been created. This elementary school case may not have reasonable applicability in a higher education setting.
- ❑ In *Gonzaga University v. John Doe* (2002), the Court confirmed earlier case law that precluded a student or former student from using FERPA as the foundation for a legal cause of action in a civil court because, under the Act, "the Secretary is expressly authorized to 'deal with violations.'" Of course, this would not preclude an individual from suing an institution under common law privacy rights (*e.g.*, libel, slander) if an individual felt the institution had violated his rights regarding release of student record information.
- ❑ In *United States v. Miami Univ. and Ohio State Univ.* (2002), the United States Court of Appeals for the Sixth Circuit unanimously affirmed a lower court's ruling that university disciplinary records are "education records" under the *Family Educational Rights and Privacy Act* (FERPA) and that disclosing such records without students' consent, or meeting one of the exceptions to signed consent in §99.31, constitutes a violation of FERPA.
- ❑ Clarifying that the phrase "in attendance" applies to students who may not be physically present in class, such as through online courses.
- ❑ Clarifying that "biometric records" can be "personally identifiable" and what constitutes "biometric records."
- ❑ Clarifying that social security numbers, or any part thereof, cannot be designated as directory information.
- ❑ Clarifying that student identification numbers cannot be designated as directory information, except when they are used as student identifiers to gain access to information from education records, and then, only if in combination with other authentication factors.
- ❑ Allowing the return of information included in an education record to the originator or purported originator of the information by excluding such transfer of information from the definition of "disclosure."
- ❑ Clarifying that records pertaining to an individual's previous attendance as a student are "education records" under FERPA, regardless of when they were created or received by the institution.
- ❑ Summarizing the exceptions that permit postsecondary institutions to disclose information from education records to parents of eligible students.
- ❑ Clarifying that "personally identifiable information" includes information that alone or in combination, is linked to or linkable to a specific student with reasonable certainty. This replaces the "easily traceable" standard that previously existed within FERPA.
- ❑ Expanding the "school officials" exception to include contractors, consultants, volunteers, and other outside service providers used by an institution to perform institutional services and functions that it would otherwise perform for itself.
- ❑ Requiring postsecondary institutions to use "reasonable methods" to ensure that teachers and other school officials (including outside service providers) obtain access to only those education records—paper or electronic—in which they have legitimate educational interests.
- ❑ Requiring institutions to establish with contractors and other outside service providers expectations about direct control and appropriate use of student data to which they have access.
- ❑ Allowing a student's previous school to supplement, update, or correct any records it sent during the student's application or transfer period, including disciplinary records.

- ❑ Requiring a postsecondary institution to enter into a written agreement with an organization that is conducting a study “for or on behalf of” the institution and clarifying that the institution does not have to initiate the study. The agreement should include expectations about appropriate use of student data to which they have access.
- ❑ Allowing the disclosure of information de-identified through the removal of all “personally identifiable information.”
- ❑ Requiring the use of reasonable methods to identify and authenticate the identity of the student, school officials, parents, and any other parties to whom information from education records is disclosed.
- ❑ Allowing federal and state officials who receive education records for audit, evaluation, or compliance and enforcement purposes to re-disclose such records in certain circumstances.
- ❑ Clarifying that, by removing the limitation on redisclosure in §99.33, that releasing the outcome of a disciplinary proceeding to a victim of an alleged crime of violence or a non-forcible sex offense, mandated under the Clery Act, is appropriate under FERPA, and that an institution cannot require such a victim to sign a confidentiality agreement prior to disclosing the outcome of the disciplinary hearing to the victim.
- ❑ Requiring state or federal officials to whom an institution has disclosed education records to keep a record of redisclosures and provide it to the postsecondary institution upon request.
- ❑ Revising the conditions under which information from education records may be disclosed in a health or safety emergency, to allow disclosures, including to parents of eligible students, when an institution determines that there is “an articulable and significant threat to the health and safety of the student or other individuals.” If such disclosures are made, institutions must record the disclosure and its basis.
- ❑ Clarifying that directory information may not be disclosed on former students who opted out at their last opportunity to do so while still a student.
- ❑ Clarifying that opting out of directory information does not provide a student anonymity within a class.
- ❑ Clarifying that using social security numbers to disclose or confirm directory information is prohibited.
- ❑ Clarifying that information from education records that has been de-identified can be disclosed by the

institution, so long as the information could not reasonably be linked to a specific student.

- ❑ Clarifying that student identifiable information released to a federal or state educational authority by an institution can be re-disclosed, on behalf of the institution, to another party which could have initially received the information directly from the institution under any of the exceptions in §99.31.
- ❑ Clarifying and enhancing enforcement provisions of FERPA, pursuant to *Gonzaga University v. Doe* 536 U.S. 273 (2002), including that alleged violations brought by someone other than the affected student may be investigated and that a complaint does not have to allege a policy or practice of violating FERPA in order to investigate or find a violation in a specific alleged incident.
- ❑ Providing additional safeguarding recommendations to help ensure compliance with FERPA.

Copies of the original 1974 law, as amended, as well as the final regulations, are included in Appendices A and B of this publication. The reader should always check to see if the Department of Education has issued any regulations since publication of this Guide through the Web page of the Family Policy Compliance Office (FPCO), the office in the Department of Education that has responsibility for administering FERPA, at: www.ed.gov/policy/gen/guid/fpc/index.html or www.aacrao.org.



WILLIAM CAREY UNIVERSITY

INSTITUTIONAL POLICY ON THE PRIVACY RIGHTS OF STUDENTS

The Family Educational Rights and Privacy Act of 1974 is a Federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students must be made available. The law provides that the institution will maintain the confidentiality of student education records.

William Carey University accords all the rights under the law to students who are declared independent. No one outside the institution shall have access to, nor will the institution disclose any information from, students' education records without the written consent of students except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

Within the William Carey University community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include personnel in the Office of the Registrar, the Office of Academic Vice-President, the Business Office, Financial Aid, the Office of Admissions, and academic personnel within the limitations of their need to know.

At its discretion the institution may provide Directory Information in accordance with the provisions of the Act to include: student name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, weight and height of members of athletic teams, and other similar information. Students may withhold Directory Information by notifying the Registrar's Office in writing on or before the first day of classes of each trimester/term. Forms for this purpose are available in the Registrar's Office. In the event a refusal is not filed, the institution assumes that a student does not object to the release of the directory information designated.

Request for non-disclosure will be honored by the institution for only one academic year; therefore, authorization to withhold Directory Information must be filed annually in the Office of the Registrar.

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing committee to be unacceptable. The Registrar has been designated by the institution to coordinate the inspection and review procedures for student education records, which include admissions, personal, academic, and financial files, and academic, and placement records. Students wishing to review their education records must make written requests to the Registrar listing the item or items of interest. Only records covered by the

Act will be made available within forty-five days of the request. Students may have copies made of their records with certain exceptions, (e.g., a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere). These copies would be made at the students' expense at prevailing rates. Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, records of the law enforcement unit, student health records, employment records, or alumni records. Health records, however, may be reviewed by physicians of the students' choosing.

Students **may not** inspect and review the following as outlined by the Act: financial information submitted by their parents, confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access **only** to that part of the record which pertains to the inquiring student.

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights may discuss their problems informally with the Office of the Registrar. If the decisions are in agreement with the student's request, the appropriate records will be amended. If not, the student will be notified within a reasonable period of time that the records will not be amended; and he/she will be informed by the Office of the Registrar of his/her right to a formal hearing. Student requests for a formal hearing must be made in writing to the Vice-President for Academic Affairs, who, within a reasonable period of time after receiving such requests, will inform the student of the date, place, and the time of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of his/her choice, including attorneys, at the students' expense.

Decisions of the hearing committee will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing committee, if the decisions are in favor of the student. If the decisions are unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing committee. The statements will be placed in the education records, maintained as part of the student's record, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair, or not in keeping with the provisions of the Act, may request in writing assistance from the President of the institution. Further, students who believe that their rights have been abridged may file complaints with The Family Educational Rights and Privacy Act Office (FERPA), U. S. Department of Education; 400 Maryland Avenue, SW; Washington, D.C. 20202.

Institutional Policy on the Privacy Rights of Students



The Family Educational Rights and Privacy Act of 1974 is a Federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students must be made available. The law provides that the institution will maintain the confidentiality of student education records.

William Carey University accords all the rights under the law to students who are declared independent. No one outside the institution shall have access to, nor will the institution disclose any information from, students' education records without the written consent of students except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

Within the William Carey University community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include personnel in the Office of the Registrar, the Office of Academic Vice-President, the Business Office, Financial Aid, the Office of Admissions, and academic personnel within the limitations of their need to know.

At its discretion the institution may provide Directory Information in accordance with the provisions of the Act to include: student name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, weight and height of members of athletic teams, and other similar information. Students may withhold Directory Information by notifying the Registrar's Office in writing on or before the first day of classes of each trimester/term. Forms for this purpose are available in the Registrar's Office. In the event a refusal is not filed, the institution assumes that a student does not object to the release of the directory information designated.

Request for non-disclosure will be honored by the institution for only one academic year; therefore, authorization to withhold Directory Information must be filed annually in the Office of the Registrar.

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing committee to be unacceptable. The Registrar has been designated by the institution to coordinate the inspection and review procedures for student education records, which include admissions, personal, academic, and financial files, and academic, and placement records. Students wishing to review their education records must make written requests to the Registrar listing the item or items of interest. Only records covered by the Act will be made available within forty-five days of the request. Students may have copies made of their records with certain exceptions, (e.g., a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere). These copies would be made at the students' expense at prevailing rates. Education records do not include records of instructional, administrative, and educational

(website)

personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, records of the law enforcement unit, student health records, employment records, or alumni records. Health records, however, may be reviewed by physicians of the students' choosing.

Students may not inspect and review the following as outlined by the Act: financial information submitted by their parents, confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access only to that part of the record which pertains to the inquiring student.

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights may discuss their problems informally with the Office of the Registrar. If the decisions are in agreement with the student's request, the appropriate records will be amended. If not, the student will be notified within a reasonable period of time that the records will not be amended; and he/she will be informed by the Office of the Registrar of his/her right to a formal hearing. Student requests for a formal hearing must be made in writing to the Vice-President for Academic Affairs, who, within a reasonable period of time after receiving such requests, will inform the student of the date, place, and the time of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of his/her choice, including attorneys, at the students' expense.

Decisions of the hearing committee will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing committee, if the decisions are in favor of the student. If the decisions are unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing committee. The statements will be placed in the education records, maintained as part of the student's record, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair, or not in keeping with the provisions of the Act, may request in writing assistance from the President of the institution. Further, students who believe that their rights have been abridged may file complaints with The Family Educational Rights and Privacy Act Office (FERPA), U. S. Department of Education; 400 Maryland Avenue, SW; Washington, D.C. 20202.

Like



Useful Links

- Home
- Business Office
- Bookstore
- Library
- Baptist Student Union
- Financial Aid
- Registrar's Office
- Carey Athletics
- Technology
- Human Resources

(website)

WILLIAM CAREY UNIVERSITY

AUTHORIZATION TO DISCLOSE INFORMATION TO THIRD PARTY (PARENTS/GUARDIANS/OTHERS)

William Carey University is subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). This federal law affords students the rights of access to financial and educational records and imposes regulations on the university in the release and disclosure of these records to third parties. The university will not ordinarily release students' records to any person or outside agency without the written consent of the student. Students wishing to give their parents or others access to their academic and financial records may complete the form below. The original copy of this document must be sent to the Office of the Registrar for inclusion in the student's file. It may be filled out in the Registrar's Office or the Business Office and will be valid for both offices.

In accordance with FERPA, William Carey University will disclose to a third party information from the financial and academic records of the student, provided the university has on file the written consent of the student. Please sign below, and return to the Office of the Registrar or the Business Office if you consent to the university to release to your parent(s)/guardian/third party your financial and academic records.

Name of student _____ SSN# _____
(please print)

Name(s) and address(s) of parent(s)/guardian/third party to whom records may be released:

Student's Phone No. _____ Cell Phone No. _____

(Form must be signed by the student in the presence of a business office or registrar's office official.)

Student's signature: _____ Date: _____

Witness's signature: _____ Date: _____

This release will be in effect unless rescinded in writing by the student.

(website)

WILLIAM CAREY UNIVERSITY

DESIGNATION OF DIRECTORY INFORMATION

The university has designated certain information contained in the education records of its students as directory for purposes of the Family Educational Rights and Privacy Act (FERPA).

The following information regarding students is considered directory information: (1) name, (2) address, (3) telephone number, (4) date and place of birth, (5) major field of study, (6) participation in officially recognized activities and sports, (7) weight and height of members of athletic teams, (8) dates of attendance, (9) degrees and awards, (10) the most recent previous educational agency or institution attended by the students, and (11) other similar information.

Directory information may be disclosed by the institution for any purpose in its discretion, without the consent of a student. Students have a right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, this information will not be disclosed except with the consent of a student, or as otherwise allowed by FERPA.

Any student refusing to have any or all of the designated directory information disclosed must file written notification to the effect with this institution at the Registrar's Office on or before the first day of classes of each trimester/term. Forms for this purpose are available in the Registrar's Office.

In the event a refusal is not filed, William Carey University assumes that a student does not object to the release of the directory information designated.

(website)

WILLIAM CAREY UNIVERSITY
REGISTRAR'S OFFICE

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

REQUEST TO WITHHOLD DIRECTORY INFORMATION

Under the "Family Educational Rights and Privacy Act of 1974" William Carey University students have the right to inspect and review any and all records, files, and data directly related to them. The university will not ordinarily release students' records to any outside agency without the written consent of the student. In many instances, student information is already known by the agency and will be verified only. In court-ordered cases, the requested information will be furnished.

William Carey University will release "directory information" on students to any interested member of the public unless the student requests in writing that it be withheld. (This request to withhold information must be made annually.) "Directory information is defined as follows: name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information. If you wish the university to withhold your name from the directory and to withhold "directory information" from release to the general public, complete the information below and return this form to the Registrar's Office; William Carey University; 498 Tuscan Avenue, WCU Box 4; Hattiesburg, MS 39401.

NOTE: The release of information is a very controlled procedure. Unless the student has experienced particular problems, it is not recommended that his/her directory information be withheld. Completion of this form eliminates a student from the campus directory and any other publication/verification concerning student enrollment. An annual request must be made to withhold this information. Requests should be made on or before the first day of the term and should be repeated at subsequent annual terms.

Name (printed)

Social Security Number

Permanent Address

Street

City

State

Zip

Signature

Date

(website)

General Policies

The William Carey University board of trustees adopted the following policy governing access to the WCU campuses by outside groups:

SOLICITATION ON OR ACCESS TO CAMPUS BY OUTSIDE INDIVIDUALS OR GROUPS

It is the policy of William Carey University that solicitation by outside groups, or access to WCU property by outside groups, shall not be permitted unless such activity is by invitation of William Carey University and contributes to the achievement of the mission of William Carey University. In cases where solicitation or distribution by outside groups has been authorized, such authorization will be revoked where any activities or conduct by outside groups results in the disruption or interference with university, administrative, educational, or operational activities. The university will not, under any circumstances, provide any access to outside groups whose activities, in the judgment of designated university officials, are inconsistent with the stated mission of William Carey University.

For purposes of this policy "solicitation" shall mean commercial and noncommercial activities, including, but not limited to, campaigning, canvassing, demonstrating, distributing or posting books, coupons, flyers, leaflets, literature or other documents, lecturing (outside of regularly invited and approved speakers for scheduled courses), petitioning, or selling.

The purpose of this policy is to ensure that any solicitation or distribution on university property by an outside group does not interfere with the university's commitment and mission to provide quality higher education and related activities to its students. Access and regulation of nonuniversity related individuals, groups or organizations on all WCU property is intended to safeguard the health, safety, and freedom from harassment of university personnel, students, and guests.

A request to distribute information (advertise) to students and university departments must be submitted and approved by the Office of Student Services prior to solicitation. Persons requesting approval should mail or present in person samples of all material to student services before any distribution or set-up takes place. The office of student support is located in Lawrence Hall; the telephone number is 601-318-6188; e-mail ybridgeforth@wmcarey.edu.

Similar requests for the Tradition campus should be submitted to the administrative dean of the campus at 228-702-1802; e-mail jbracey@wmcarey.edu.

ANNUAL NOTIFICATION

Each year this institution gives notice of the various rights accorded to parents or students pursuant to the Family Educational Rights and Privacy Act (FERPA). You are notified of the following:

- **Right to inspect:** You have the right to review and inspect substantially all of your education records maintained by or at this institution.
- **Right to prevent disclosures:** You have the right to prevent disclosure of education records to third parties with certain limited exceptions. It is the intent of this institution to limit the disclosure of information contained in your education records to those instances when prior written consent has been given to the disclosure, as an item of directory information of which you have not refused to permit disclosure, or under the provisions of FERPA which allow disclosure without prior written consent.

- **Right to request amendment:** You have the right to seek to have corrected any parts of an education record which you believe to be inaccurate, misleading or otherwise in violation of your rights. This right includes the right to a hearing to present evidence that the record should be changed if this institution decides not to alter the education records according to your request.
- **Right to complain to FERPA office:** You have the right to file a complaint with the Family Educational Rights and Privacy Act Office, Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, concerning this institution's failure to comply with FERPA.
- **Right to obtain policy:** You have the right to obtain a copy of the written institutional policy adopted by this institution in compliance with FERPA. A copy may be obtained in person or by mail from: Registrar, William Carey University, 498 Tuscan Avenue, Hattiesburg, Mississippi 39401. A copy is also available in its entirety on the registrar's page of the WCU website. The document is entitled, "Institutional Policy on the Privacy Rights of Students."

THE RED BOOK

The university updates the student handbook annually, and current and new students are issued current copies at the opening of the academic year. Residential students sign for copies when checking into the resident hall. Returning commuter students sign for copies in the student life office when renewing vehicle campus permits. New students sign for the handbook at orientation at each of the campus locations or in the student life office when a student identification card is made.

DESIGNATION OF DIRECTORY INFORMATION

The university has designated certain information contained in the education records of its students as directory information for purposes of the Family Educational Rights and Privacy Act (FERPA).

The following information regarding students is considered directory information: (1) name, (2) address, (3) telephone number, (4) date and place of birth, (5) major field of study, (6) participation in officially recognized activities and sports, (7) weight and height of members of athletic teams, (8) dates of attendance, (9) degrees and awards received, (10) the most recent previous educational agency or institution attended by the students, (11) academic level, (12) enrollment status (FT/PT), and (13) other similar information.

Directory information may be disclosed by the institution for any purpose in its discretion, without the consent of a student. Students have the right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, this information will not be disclosed except with the consent of a student, or as otherwise allowed by FERPA.

Any student refusing to have any or all of the designated directory information disclosed must file written notification to the effect with this institution at the registrar's office on or before the first day of classes of each trimester/term. Forms for this purpose are available in the registrar's office.

In the event a refusal is not filed, this institution assumes that a student does not object to the release of the directory information designated.

"The Red Book"
2014-15

U. **Office and Office Hours**

For conferences with students and performance of duties besides teaching, every faculty member is expected to post office hours. Faculty are expected to make themselves available to work with students outside of class and office hours should be scheduled with that goal in mind. A minimum of at least ten hours a week should be devoted to office hours, and the faculty member should be available at other hours in the day by appointment. Twelve-month faculty holding administrative appointments are expected to be present during the normal operating hours of the university. Flexibility is allowed to accommodate night or weekend responsibilities, such as evening classes or shift work for librarians. Department chairs on nine-month contracts must post office hours that they will be available throughout the summer.

Office hours shall be posted and approved by the vice president for academic affairs or campus dean.

V. **Absence from Class**

Faculty members who plan to miss a class or other official university duty because of attendance at a learned society or for any other reason must report the planned absence in advance to their department chair/dean so that appropriate plans can be made for the class. If faculty must miss a class unexpectedly because of illness or other unexpected problem, they must report by telephone to the department head or to the dean so that the class can be met, if possible. Each time faculty members miss a class, they must report the absence, in advance if possible, to the vice president for academic affairs or campus dean on forms obtained in the office for academic affairs. If it is not possible to arrange for class to be covered, equivalent online instruction must be provided.

W. **Other Faculty Responsibilities**

Faculty are expected to attend meetings of the faculty assembly, participate in committee work, assist the university in recruiting students, participate in campus activities, work on annual effectiveness assessments, and to assist the university in implementing the statement of purpose and the institutional and financial plans. Faculty are also expected to attend university events such as commencement, honors days, parent's day, preview days, and homecoming. Requests to be absent from commencement or other convocation services should be made to the vice president for academic affairs at least one calendar week prior to the schedule event.

Faculty holding the rank of lecturer are expected to hold office hours and attend meetings of the faculty assembly, but are not required to serve on committees or assume other responsibilities required by faculty of other ranks. Adjunct faculty should consult the adjunct faculty guidelines for a description of duties and responsibilities.

It is the policy of the university to keep faculty responsibilities in the areas of advising, committee membership, participation in student organizations, research, and service to the community to a level that does not interfere with assigned teaching duties.

IV. STUDENT-RELATED POLICIES AND PROCEDURES

A. **Catalogs**

The undergraduate catalog is the official document of William Carey University related to academic policies for its baccalaureate degree programs. As such, it should be an accurate presentation to students and the broader academic community of the nature and quality of the university's academic programs. It is the goal of the university that all programs and courses in the catalog be capable of functioning in a manner that offers all courses listed at least once each two years.

Each fall recommendations for changes are processed through the Undergraduate Curriculum Committee and, in certain cases, the Academic Council for eventual action by the faculty assembly. The faculty assembly, as the body most fully expressing faculty governance, is the final faculty authority on matters related to policies and programs.

It is the responsibility of the department chair/dean to lead the faculty in developing an ever-improving curriculum to achieve the objectives of the department and of the university.

Graduate degree catalogs are printed separately. New courses, degree programs, modification of existing programs, and other matters essential to the administration of the graduate program are the responsibility of the Graduate Committee. Recommendations for changes are processed through the Graduate Committee and, in certain cases, the academic council, for eventual action by the Graduate Faculty Assembly. The Board of Trustees must approve all majors and degree programs prior to the initiation of the new programs. These recommendations will be acted upon at the February/March board meeting.

B. Privacy Rights of Students

William Carey University is subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). This federal law affords students right of access to education records and imposes regulations on the university in the release and disclosure of education records to third parties.

In order to comply with this law, William Carey University has formulated and adopted institutional policies and procedures to be followed by the university and by those interested in gaining access to education records. These policies and procedures allow students the right to inspect substantially all of his or her education records; the right to prevent disclosures of education records to third parties; and the right to request amendment or correction of education records believed to be inaccurate or misleading. These policies are available for inspection and review in the office of vice president for student affairs.

A faculty member shall not disclose an education record which is in his/her possession or control to any person other than the student to whom the records pertain unless the student has a signed release on file in the office of the registrar. Information may be disclosed only to the party or parties listed on the release form. Parents who claim their child as a dependent for tax purposes have a right to access his/her child's academic records provided the parent has documentation on file that shows that the child was claimed as a dependent on the most recent income tax return. In either of these cases, faculty must make certain that the proper documentation is on file in the office of the registrar.

Education records may be disclosed to other faculty members and employees of William Carey University if they have a legitimate educational need to review the records in question. Faculty should take care when returning papers or discussing grades so that grade information is not displayed in a way that would make it visible to anyone other than the faculty member and the student. University guidelines prohibit the posting of grades in any form.

All requests to inspect and review records not within the faculty/staff member's possession or control and all request by third parties (including the student's parents) to inspect and review records shall be referred to the vice president for academic affairs. The university allows students to inspect and review their education records unless those records contain any of the following:

1. Information on more than one student;
2. Financial information on his or her parents; or

3. Confidential letters and statements of recommendations if the student has waived his or her right to inspect the letters and the letters are related to the student's admission to the university, application for employment or receipt of honorary recognition.

All employees should be familiar with the FERPA statement as to what type of information may be released from a student record. Extreme caution should be exercised when talking to anyone about student information. Computer terminals within the office should be positioned for maximum privacy so that visitors in the office cannot see student information. Terminal access should be limited to only those persons authorized to work with student records. Requests for official disclosure of student information are completed in registrar's office.

C. Directory Information

The university will release "directory information" on students to any interested member of the public unless the student has requested in writing that it be withheld. Directory information is defined as follows: name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.

D. Registration

The university is committed to a program of early registration in conjunction with early advising as the most effective way to accomplish registration. Registration is held on the two campuses on dates set in the academic calendar. An early registration period is scheduled to allow continuing student to be the first to register. Prior to early registration, a period of advising is designated to students to consult with faculty members regarding their schedules. Both undergraduate and graduate students are strongly encouraged to complete early registration. Undergraduate students who do not register during the early registration period must pay a late registration fee.

After the early registration period, all students, new students, continuing students, and re-admits, may register either in designated registration times or in the open registration period between designated times. Students who wish to register during the open registration period must make arrangements with the appropriate school or department to schedule a time to meet with an advisor. Advisement times for new students are coordinated through the admissions department.

Student bear final responsibility for the completion of their academic program. The catalogs exist to serve as official guides to academic policies and programs. It is the commitment of the university to provide academic advising to assist the student in achieving his or her goals; however, it is ultimately the responsibility of the individual student to fulfill the requirements of his/her degree program.

Members of the faculty and administration are expected to help with registration. Department chairs/deans are responsible for ensuring adequate participation to conduct registration accurately and efficiently.

E. Class Attendance

Students are required to attend at least 75% of the scheduled class meetings in order to pass an undergraduate course and 80% to pass a graduate course. (See section on attendance regulations in the university catalog).

FERPA REMINDERS
STUDENT INFORMATION

"WHEN IN DOUBT.....DON'T GIVE IT OUT!"

1. "William Carey University policy prohibits the posting of grades of any kind." (Faculty Handbook, p. 24)

The Don'ts:

2. Don't provide anyone outside the university with any one specific student's information.
3. Don't use a social security number or student ID number in any public manner or link a student with these numbers.
4. Don't circulate (ex., attendance rosters) with social security or student ID numbers.
5. Don't provide any lists of your class members to anyone.
6. Don't provide anyone with student schedules or assist anyone (other than appropriate WCU employees) to find a student on campus.
7. Don't leave graded papers for students to pick up by having to sort through papers of other students.
8. Don't leave computer screens open with student information when you are not at the computer.
9. Don't leave student papers out on your desk or available when you are not in the room or office.
10. Don't discuss the progress of a student with anyone other than the student (even parents) without a FERPA release of consent. This consent will pop up in CAMS when you enter and bring up the student's name. (example attached) If not there, the student has not released his information to anyone. If it is there, release can be only for the names listed.
11. Letters of recommendation should require the student's signature if you are disclosing confidential information to a third party. (Sample in the handout, p.21)

Student Selection List - Windows Internet Explorer provided by William Carey University

CAMS Enterprise Student Alert -- Webpage Dialog

!ALERT!

Student:

Academic Alerts:

Business Alerts:

FERPA Warning:

FERPA Item	AllowDisplay	RelationCanRecv
1	Yes	Does Not Apply

OK Cancel


Done

Three Rivers Systems Inc.

http://fccams.wmcarey.local/# Trusted sites | Protected Mode: Off 100%

The Weather Chann... Inbox - Microsoft O... 2 Microsoft Office... 3 Internet Explorer 10:42 AM

*



If you have any questions, please call
the Office of the Registrar.

Thank you!

Gayle Knight

601-318-6195

PLEASE POST !

DIRECTORY INFORMATION WILLIAM CAREY UNIVERSITY

William Carey University has designated Directory Information according to the Family Educational Rights and Privacy Act of 1974 to be the student's:

- Name
- Local and permanent address/telephone number
- Date/place of birth
- Major field(s) of study
- Participation in officially recognized activities/sports
- Weight/height of members of athletic teams
- Dates of attendance
- Degrees and awards received and dates
- Most recent previous educational institution attended
- Academic level
- Enrollment status (FT/PT)
- Other similar information that would not normally be considered an invasion of a student's privacy

NON-DIRECTORY
Never designated
as directory:

**SSN, Gender, Religion,
Grades, GPA**