

BRYN ATHYN COLLEGE



FOUNDED IN 1877

Privacy of Student Records (FERPA)

Last Policy Update/Approval	May 2024
Responsible Party	Registrar (Financial Aid, Bursar)
Affected Parties	Students

OVERVIEW

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that pertains to the release of and access to student educational records. The law, which seeks to protect the rights of students and to ensure the privacy and accuracy of education records, applies to all schools that receive funds under applicable programs administered by the U.S. Department of Education.

PURPOSE

To protect the rights of students and to ensure the privacy and accuracy of education records.

POLICY

Bryn Athyn College complies fully with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, and hereby makes public notification of the law. Students with questions about this notice or about FERPA should contact the registrar at registrar@brynathyn.edu or 267-502-4828, or direct questions to the

U.S. Department of Education, c/o Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-5901, 202-260-3887. Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Bryn Athyn College to comply with the requirements of FERPA. Students may file a written complaint by writing to the Family Policy Compliance Office at the address above. For further information on FERPA policies, visit the U.S. Department of Education website.

FERPA affords students certain rights with respect to their education records. These rights include:

- The right to review and inspect his/her own education records. A student has the right to inspect and review his/her own education records within forty-five (45) calendar days of the date the registrar receives a request for access to the records. A student seeking to inspect and review his/her own educational records must make a written request to the registrar at registrar@brynathyn.edu. The written request must identify the record(s) he/she wishes to inspect. Upon receipt of such written request, the registrar, or his/her designee, shall make arrangements for access and shall notify the student of the time and place where the records

may be inspected. If the records are not maintained by the registrar, then he/she shall advise the student of the correct official to whom the request should be made.

- The right to request the amendment of his/her own education records. If a student believes that his/her own education records contain inaccurate or misleading information or otherwise violates the student's privacy rights under FERPA, the student may submit a request, in writing, to the registrar, seeking an amendment of the record. The written request should identify the part of the education records that the student wants changed and should specify why it is inaccurate or misleading or otherwise violates the student's privacy rights. Within a reasonable time after receiving such a written request, the college shall decide to either amend the education records as requested or shall notify the student that it has decided not to amend the records and that the student has the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when he/she is notified of the right to a hearing.
- In general, a student's education records must be protected and not made available in order to protect the student's privacy. Therefore, a student's personally identifiable information contained in his/her education records may not be released to a third party, including family members, without written authorization of the student, except to the extent that FERPA authorizes disclosure without such consent. There are several exceptions to the restriction on disclosure. To obtain information regarding all of the circumstances under which disclosure may occur in accordance with FERPA law and regulations, contact registrar@brynathyn.edu or visit the U. S. Department of Education website.
 1. **Health or safety emergency.** FERPA permits the disclosure of information from student education records "to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals." Safety concerns warranting disclosure could include a student's suicidal statements or ideations, unusually erratic and angry behaviors, or similar conduct that others would reasonably see as posing a risk of serious harm. This exception does not authorize "knee-jerk" or (in most cases) "broadcast" disclosures, but a limited disclosure to a limited number of people, made on the basis of a good-faith determination in light of the facts available at the time, is highly unlikely to be deemed a violation of FERPA, even if the perceived emergency later turns out, in hindsight, not to have been one. In general, and when reasonably possible, the initial disclosure should be made to professionals trained to evaluate and handle such emergencies, such as campus mental health or law enforcement personnel, who can then determine whether further and broader disclosures are appropriate.
 2. **Parental exceptions.** Once a student is in attendance at a postsecondary institution, all rights provided by FERPA rest with the student, even if the student is younger than 18 years

old. Information in education records may therefore be disclosed to the parent of a college student only with the student's consent or in one of the two instances in which FERPA specifically addresses communications to parents. First, FERPA permits (but does not require) disclosures of any or all education record information to a student's parents if the student is their dependent for federal tax purposes. To rely on this exception, Bryn Athyn College must verify the student's dependent status, normally either by asking the student for confirmation or by asking the parents for a copy of the relevant portion of their most recent tax return. Second, FERPA permits (but again does not require) disclosure of information to a parent or legal guardian regarding any violation of law or of an institutional rule or policy governing the use or possession of alcohol or a controlled substance, if the institution has determined that the student committed a disciplinary violation with respect to such use or possession and the student is under the age of 21 at the time of both the violation and the disclosure.

3. **School officials with legitimate educational interests.** A school official is a person employed by Bryn Athyn College in an administrative, supervisory, academic or research, or support staff position (including security personnel and health/counseling staff and work study students); a person or company with whom Bryn Athyn College has contracted (such as an attorney, auditor, or collection agent); or a person serving on the Board of Trustees. 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 duties.
4. **Directory information.** Another exception that permits disclosure without prior written consent is disclosure of student directory information of current students. The primary purpose of directory information is to allow the institution to include this type of information in publications. Bryn Athyn College designates the following information as directory information:
 - Student's name
 - Address
 - Telephone listing
 - Electronic mail address
 - Date and place of birth
 - Photograph
 - Major field of study
 - Dates of attendance
 - Level of education
 - Enrollment status
 - Degrees, honors, and awards received
 - Participation in officially recognized activities and sports

- Weight and height of members of athletic teams
- The most recent previous educational agency or institution attended

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without prior written consent. A student has the right to advise the institution that he/she does not wish the college to disclose any or all of the above-listed directory information without the student's prior written consent. If a student wishes to exercise that right, the student should contact the registrar in writing within 30 calendar days of the date of enrollment and must specify the type(s) of directory information that the student does not want disclosed without prior written consent.