

## **Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day we receive a request for access. A student should submit to the Registrar, Academic Dean, or Campus President, a written request that identifies the record(s) the student wishes to inspect. The PBI 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 PBI 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. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask PBI to amend a record should write the PBI official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If PBI decides not to amend the record as requested, PBI will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before PBI discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
  - a. PBI discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by PBI in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom PBI has contracted as its agent to provide a service instead of using PBI employees or officials (such as an attorney, auditor, or collection agent); 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 his or her tasks. 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 responsibilities for PBI. PBI also discloses education records without the student's consent to officials of another school in which a student seeks or intends to enroll.
  - b. PBI may disclose information on a student without violating FERPA if it has designated the information as "directory information." At PBI this includes: Student's participation in officially recognized activities; month/day of birth (Happy Birthday Lists); PBI awards received/Program of Study; Graduation announcements and programs. Other than in school publications, PBI's policy is we only disclose directory information to law enforcement officials. Students may, if they desire, request that directory information not be released. Such a request must be submitted in writing to the Campus President within the first two weeks of each term.

- c. As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records including your Social Security Number, grades, or other private information may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is “principally engaged in the provision of education,” such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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