

ANNUAL NOTIFICATION TO STUDENTS – FAMILY EDUCATION RIGHT AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution). These rights include:

- The right to inspect and review the student’s education records within 45 days after the day the Adult Career Center MCCTC receives a request for access. A student should submit to the Adult Career Center office a written request that identifies the record(s) that student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected.
- 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 the school to amend a record should write the Adult Career Center Supervisor clearly identifying the part of the record the student wants changed and specify why it should be changed.
- If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student’s rights 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.
- The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.
- The school 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 the Adult Career Center MCCTC as an administrative, supervisory, academic, research, or support staff position; a person serving on the board of trustees; or law enforcement unit personnel and health staff. A school official has a legitimate educational interest if the official needs to review the education record in order to fulfill his or her professional responsibilities for the Adult Career Center MCCTC.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Adult Career Center MCCTC 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

Disclosure without Consent

FERPA permits the disclosure of Personally Identifiable Information from students’ education records, without consent of the student if the disclosure meets certain conditions found in 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures of the student, 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of the disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, within the Adult Career Center MCCTC whom the school has determined to have legitimate educational interests;
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled in the disclosure is for purposes related to the student’s enrollment or transfer;
- 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 financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid;
- To accrediting organizations to carry out their accrediting functions;
- To parents of an eligible student if the student is a dependent for IRS tax purposes;
- To parents if a health or safety emergency involves their son or daughter;
- To appropriate officials in connection with a health or safety emergency;
- To comply with judicial order or lawfully issued subpoena;
- Information the school has designated as “directory information.” MCCTC directory information includes: name, program of study, attendance dates, honors/awards, and photo. To “opt out” of directory information, the student must complete the appropriate section of the “Adult Student Consent to Release Records” form or notify the ACC in writing within seven (7) days of program start date;
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.

