



# **Family Educational Rights and Privacy Act (FERPA) Policy**

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) POLICY**

Federal statutes protect the privacy and confidentiality rights of individuals associated with any educational institution. These statutes regulate the gathering, disclosure and circulation of records of any person associated with the educational institution. As such, these individuals are guaranteed both freedom from intrusion and protection from unauthorized disclosure of personal data from their personal, health, academic, disciplinary, financial, attendance and employment records.

Regional Center for Border Health, Inc. complies with its legal and ethical obligation of preserving the right to privacy and confidentiality concerning all past and present students of the College. The College protects the maintenance and release of student information according to federal and state laws and regulations, which (1) outline the ways in which data can be collected from students, (2) restrict information disclosure, and (3) safeguard the quality of information that is circulated. The College strives to ensure the effective protection of student records from inappropriate and illegal disclosure.

The Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Agreement, specifically protects the confidentiality and privacy of student education records. The FERPA guidelines are available for student review at the Registrar's Office.

Regional Center for Border Health, Inc. Financial Aid and Admission Office maintain student education records. During the financial aid packaging process, each student must fill out a FERPA Authorization and Release Form, which includes a number of Challenge Questions for the student to answer. These Challenge Questions and the answers that the student provides will be used to help verify a student's identity in the event that, in the future, the student requests personal information or records from his/her file and cannot present his/her valid RCBH/CHC student picture identification card or driver's license (or other valid state-issued picture identification card) in person. Under such circumstances, the student will not be given the requested personal information, and will not be permitted access to his/her file, unless he/she correctly answers the Challenge Questions and correctly identifies the last four digits of his/her social security number. A student will only be required to answer the Challenge Questions and to identify the last four digits of his/her social security number if the student does not make his/her request in person and, if done in person, if the student is unable to present his/her valid RCBH/CHC student picture identification card or driver's license (or other valid state-issued picture identification card).

Students wishing to review records in their files may request to do so by submitting to the Admission Office or Financial Aid Director a written request that identifies the records he/she wishes to inspect. If the student correctly answers the Challenge Questions and correctly identifies the last four digits of his/her social security number (or if the student verifies his/her identity in person by presenting his/her valid RCBH/CHC student picture identification card or driver's license [or other valid state-issued picture identification card]), then the College will make arrangements for access and notify the student of the time and place where the records may be inspected. The student's identity will need to be verified again if the date of inspection occurs later than the date of the student's verified request. However, students may not be permitted to inspect the following information: financial information submitted by their parents, certain

confidential statements of recommendation to which the students have waived their rights of inspection and review, portions of certain education records containing information on more than one student, and other records that may be restricted by FERPA.

Any student who contacts the College via telephone to request personal Academic or Financial Aid information will be required to correctly answer his/her Challenge Questions and correctly identify the last four digits of his/her social security number before the College will release any personal information. A student may ask the College to amend an education record that he/she believes is inaccurate or misleading. The student should write the College official responsible for the record, clearly identifying the part of the record that he/she wants changed and specifying how it is inaccurate or misleading. If the College decides not to amend the education record as requested by the student, the College will notify the student of the decision and advise the student of his/her right to a hearing as well as the hearing procedures.

Each student has 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 the student's consent. A student's consent to disclose information or records to others must be given in writing using the FERPA Additional Authorization and Release Form, which is available at the Campus Financial Aid Office. In order to help verify the person's identity, any person(s) that a student consents to have information or records disclosed to must, prior to disclosure, correctly identify the last four digits of their social security number, and correctly answer the Challenge Questions that appear on the FERPA Additional Authorization and Release Form completed by the student. A student may modify or revoke prior authorization by completing the FERPA Revocation or Modification of Additional Authorization and Release Form, which is also available at the Financial Aid Office.

According to FERPA, the College may disclose certain information and records without obtaining a student's consent. One such exception to a student's right to consent is disclosure to other College officials who have been determined to have a legitimate educational interest in the information. A College official is a person employed by the College in an administrative, supervisory, academic, research or support staff position; a person or company with whom the College has contracted (such as an attorney, auditor or collection agent); or a person serving on an official committee, such as a disciplinary or grievance committee, or assisting another College official in performing his/her duties. A College official has a legitimate educational interest if the official needs to review an education record in order to perform his/her official duties. Upon request, the College may also disclose education records without the student's consent to officials of another school in which a student seeks or intends to enroll. In addition, directory information may be disclosed without a student's consent unless the student has advised the Admission Office in writing that he/she wishes to restrict access to this information within five days after the first day of class each quarter. "Directory Information" includes the student's name, address, telephone number(s), email address(es), date and place of birth, major field of study, participation in officially recognized activities, dates of attendance, enrollment status, degrees and awards received and the most recent previous educational agency or institution attended by the student. The College also reserves the right to disclose financial aid-related and payment-related information to a parent of a dependent student without the student's consent, provided that the parent is named on and included his/her information on the student's Free

Application for Federal Student Aid (FAFSA). Under these circumstances, the parental information from the FAFSA will be used to verify the identity of the parent.

At Regional Center for Border Health, Inc., the Campus Administrator is the individual in charge of ensuring and overseeing that all administrative offices and academic programs are in compliance with Regional Center for Border Health, Inc./ College of Health Careers Education's privacy and confidentiality policies. Students with complaints regarding any academic or administrative violation of these policies should contact the Admission's Office to make a written complaint. The Admission's Office will forward the complaint to the Campus Administrator who, within two weeks, will notify the student in writing about the action taken. Students have the right to file complaints with the U.S. Department of Education concerning the College's alleged failure to comply with FERPA. The name and address of the office that administers FERPA is Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202.