

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records and affords 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 at any age. These rights include:

1. The right to inspect and review the student’s education records within 45 days of the day The College receives a request for access. A student should submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask The College to amend a record should write The College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If The College decides not to amend the record as requested, the College 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. If, because of the hearing, the College still decides not to amend the record, the eligible student has the right to insert a statement in the record setting forth their views.
3. The right to provide written consent before The College discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The College 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 College 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 The College has contracted as its agent to provide a service instead of using College 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 The College.
4. A student may revoke consent at any time. If the student wishes to make any changes to their consent for release they will need to complete and file a new form. The new authorization on the new form will supersede all prior authorizations for release of any information. The updated release will be processed by the Registrar’s Office. If a student has any questions, they may call the Student Services Office at (914) 831-0433.
5. An educational agency or institution may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student. Notice to the parents or students is required before disclosing personally identifiable information on behalf of the educational agency in response to judicial order or subpoena.
6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Students Privacy Policy Office U.S. Department of Education, 400 Maryland Avenue, S.W. Washington, DC 20202-8520.

Exemptions:

Under FERPA, a school may not generally disclose personally identifiable information (PII) from an eligible student’s education records to a third party unless the eligible student has provided written consent. However, there are a number of exceptions. For this non-exclusive list of FERPA exemptions, see our Registrar or Student Services Office.

FERPA permits the disclosure of PII from students’ education records, without the consent of the student, if the disclosure meets certain conditions found in the FERPA regulations. Except for disclosure to school officials, disclosures of directory information, and disclosures to the student, FERPA regulation 99.32 requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of

disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student. See our Registrar or Student Services Office for these regulations.

The College of Westchester may provide “directory information” in accordance with FERPA provisions. Directory information is defined as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Designated directory information at the College includes the following: student’s name, address, email address, phone number, age, photograph, dates of attendance (defined as first and last date of term), enrollment status (full-time or part-time), field of study, degrees, honors and awards received and their dates. Students may request that such directory information not be released by notifying the Student Services Office.

Copies of The College’s full policy statement on the release of student information, and procedures for exercising these rights are available from the Office of the Registrar.