

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

or other members of the community, and the College may disclose such information to teachers and other officials within the College or other schools who are determined to have legitimate educational interests in the behavior of the student.

(11) The disclosure is information the educational agency or institution has designated as “directory information” (see below).

(12) The disclosure is to an alleged victim of any crime of violence or the results of any disciplinary proceeding conducted by an institution of post-secondary education against the alleged perpetrator of that crime with respect to that crime.

The right to file a complaint with the U.S. Department of Education

A student may file a complaint concerning an educational institution’s alleged failure 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 20202-4605

DIRECTORY INFORMATION

Material classified as “directory” information can be released without student consent. Directory information, as defined by the College, includes the following: the student’s name, date/place of birth, photographs, periods of enrollment, degrees, awards and honors received, major fields, campus or home address, phone numbers, e-mail address, student class schedule, height/weight of student athletes, and the most recent previous educational institution attended by the student. A student may, however, have all of the information withheld upon written notice to the office of the Registrar given within ten days after the beginning of each semester.

USA PATRIOT ACT AND FERPA

This act permits designated federal officials to apply for a court order to obtain copies of student records relevant to an investigation of terrorism or other crimes, without notifying the student. All requests for such information should be referred to the Office of General Counsel.



SAINT MARY'S COLLEGE
of California

Registrar's Office
P.O. Box 4748
Moraga, CA 94575-4748
(925) 631-4214

SAINT MARY'S COLLEGE OF CALIFORNIA

NOTIFICATION OF RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. FERPA also protects the privacy of these records and requires the College to inform all students of the granted rights and safeguards. FERPA gives students the following rights:

The right to inspect and review the student's education records

A student may review educational records directly concerning the student within forty-five days of the day the College receives a request for access. Students shall submit their requests to the Office of the Registrar, who is authorized to review each request and to approve requests that are proper. The Registrar will make arrangements for access and will notify the student of the time and place where the records may be inspected. Students may also request copies of their records. A student may be charged for this service, but the amount will not exceed the actual cost of producing the records.

There are certain records that a student may not review, including (i) financial records of parents; (ii) confidential letters and recommendations relating to admissions, employment and honors, for which a waiver of the right of access has been signed by the student, provided that upon request the student is given the names of those persons writing letters; (iii) a physician's or psychologist's records (a student may, however, have his or her own physician or other appropriate professional review the records); and (iv) records of personnel of the College which are in the sole possession of the maker thereof and are not made accessible to or revealed to other persons. In addition, where a record contains information that concerns more than one student, a student requesting inspection will be informed about the information only insofar as it pertains to that student.

The right to request the amendment of the student's education records

A student may ask the College to amend a record that the student believes is inaccurate or misleading. The student should write to the College official responsible for the record, clearly identify the part of the record he or she wants changed, and specify why it is inaccurate or misleading. A student also has the right to insert in his or her records written explanations concerning the content of his or her records.

Please note that FERPA does not give any student the right to contest a grade given in a course, but does give the student the right to seek to correct an improperly recorded grade.

If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. The Dean of Academic Development has been designated as the hearing officer. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

The right to consent to disclosures of personally identifiable information

Personally identifiable information contained in the student's education records may not be disclosed without the student's consent, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. 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 responsibility. 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 (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.

In addition, the College may, but is not required to, disclose personally identifiable information from an education record of a student without consent if the disclosure meets one or more of the following conditions:

(1) The disclosure to officials of other universities in which a student seeks enrollment, provided that the student is given notice of the disclosure, is provided with a copy of the records disclosed (if so requested by the student), and is given the opportunity to review and challenge the records sought. College policy is to forward only Saint Mary's College transcripts and only upon a student's written request.

(2) The disclosure is to authorized representatives of the Comptroller General of the United States or certain federal, state, and local educational authorities.

(3) The disclosure is in connection with financial aid for which the student has applied or which the student has received.

(4) The disclosure is to state and local officials or authorities under applicable state laws concerning the juvenile justice system.

(5) The disclosure is to organizations conducting studies, provided that the study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization and the information is destroyed when no longer needed for the purposes for which the study was conducted.

(6) The disclosure is to accrediting organizations to carry out their accrediting functions.

(7) The disclosure is to parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954.

(8) The disclosure is to comply with a judicial order or lawfully issued subpoena and the College has made a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek protective action, unless the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

(9) The College initiates legal action against a parent or student and has made a reasonable effort to notify the parent or eligible student so that the parent or eligible student may seek protective action.

(10) The disclosure is in connection with a health or safety emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The College may include in the educational records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well being of that student, other students,