

**Alvernia University**  
Guidelines for Compliance  
of  
**Family Education Rights and Privacy Act of 1974**  
**FERPA**  
(The Buckley Amendment)

## I Purpose of FERPA and the Rights of Students

FERPA was enacted to protect the privacy of students' education records, to establish the rights of students to inspect and review their education records, and to provide students with an opportunity to have inaccurate or misleading information in their education records corrected.

FERPA also permits the disclosure by an institution without a students' written permission of directory information about a student.

## II Who is a Student under FERPA?

Student applies to all students attending, including students auditing, online and distance learning students, and former students. A student is any person for whom Alvernia University maintains an education record, whether or not that student is currently in attendance. Students who have applied to Alvernia University become students when they attend classes and so are entitled to review their records. Persons who apply but never attend classes are not eligible to review their records because they have not become a student.

## III Education Records

Education records are those defined as the files, documents, and other material that contains information directly related to a student and that are maintained by Alvernia University. This information can be in the form of, but not limited to:

print, handwriting, computerized files, film, CD Rom, biometric, etc.

The records maintained by Alvernia University that are available for review by a student are: admission application, admissions letters, awards, high school transcript, placement memo, advisement materials, transfer evaluations, grade reports, transcripts from previous Universities, and other categories that would be part of being a student.

## Education Records - continued...

Under FERPA and its related regulations the following types of records are not education records and are, therefore, not available for student review:

- 1 Personal notes kept by an individual University employee solely in his or her possession used as a memory aid and not accessible or revealed to others.
- 2 Records related to a student who is employed by Alvernia University.(This exception does not apply to a student in attendance who is employed as a student work study).
- 3 Medical and psychiatric records
- 4 Alumni records which contain information relating to a person only after that person is not a student.
- 5 Financial records of the parents of the student
- 6 Confidential letters and statements of recommendation if the student waived the right to see them as they were confidentially requested to be sent to Alvernia University.

## IV Access to Records

An Alvernia University student who wished to review their records must complete a record request form in the Registrar's Office. Upon receipt of a request, the Registrar will set an appointment for the student's review and then supervise the review. Students are provided with a review opportunity within a reasonable time and not exceed 45 days from the date of receipt of the request. If a student's record includes information about another student, the reviewing student may only review that part relating to himself or herself. If a student is at a distance or physically unable to come to personally reviewing his or her record, a request for review form would be sent by mail with an invoice to pay for copying and mailing costs. Once the signed request and fee is received by the Registrar, a copy of the student's education record will be mailed to the student at the given address.

## V Amendment of Records

If a student believes that any of the education records relating to him or her contain information that is inaccurate, misleading, or in violation of his or her rights of privacy, he or she may ask Alvernia University to correct or delete such information. The student may also ask Alvernia University that additional explanatory material be inserted in the record. Requests for amendment of a record or the addition of explanatory material should be submitted at the conclusion of the review. The request should clearly identify the part of the record that student wants changed and specify why it is inaccurate or misleading. There is no obligation on the part of Alvernia University to grant such a request. If Alvernia declines to amend the records as requested by the student, it will inform the student and the student may request a hearing. A hearing may not be requested to contest the assignment of a grade as FERPA is not to be used to question judgments of the quality of a student's academic performance that are correctly recorded.

## VI Hearings

If Alvernia University declines to amend a student's record as he or she requests, the student has a right to a hearing. The hearing will be held within a reasonable time after Alvernia receives the student's request for it. The hearing may be conducted by the Provost or someone designated by the Provost. At the hearing the student may be assisted or represented by one or more individuals, including legal counsel, of the student's choice and at the student's expense. After the hearing, the hearing officer will make his or her recommendations in writing to the President or his designee on behalf of Alvernia University. The President will respond based solely on the evidence presented at the hearing and will include in his response his reasons for the conclusions reached. If the decision is to amend the record, the record will be amended and the student will be given written notice of the amendment. If the decision is not to amend the record, the student will be informed of his or her right to place a written statement in his or her record, which will be kept on file as long as the record is kept. If the contested portion of the file is disclosed to anyone, the student's statement will also be disclosed.

## VII Disclosure of Personally Identifiable Information

Prior to disclosing personally identifiable information from a student's education records, Alvernia University will obtain the student's signed and dated written consent to such disclosure, unless consent is not required by law.

Consent is not needed for disclosure of directory information.

Consent is not needed for disclosure of non-directory information of a student's education record:

- 1 to student
- 2 to school officials with legitimate education interests
- 3 to accrediting and testing organizations
- 4 to parents of dependent students
- 5 to certain federal, state and local officials and authorities as specified by FERPA
- 6 in connection with financial aid for which the student has applied or received
- 7 to comply with a subpoena or judicial order (Alvernia University will make every attempt to notify the student of the order of the subpoena before complying with it, unless the subpoena orders that such notification not be made).

## Disclosure of Personally Identifiable Information – continued...

- 8 to appropriate parties in connection with an emergency when the information is necessary to protect the health or safety of the student or other individuals.
- 9 to the victim, if the final results of Alvernia University disciplinary proceedings concluded that a crime of violence or sex offense was perpetrated by an Alvernia University student regardless of whether or not it is legally concluded that a violation was committed. The names of other students, including the victim or witnesses, may not be disclosed without their prior consent.
- 10 to the parent of a student regarding the student's violation of any Federal, State, or local law, or any rule or policy of Alvernia University, regarding the use or possession of alcohol or a controlled substance, provided that Alvernia University has determined that the student has committed a violation and the student is under the age of 21 at time of disclosure.
- 11 to the Career Service Office at Alvernia University where the student can sign a blanket consent for disclosure of records to "appropriate third parties" such as potential employers

Currently enrolled students may refuse to permit disclosure of any information. To do so, the student would put this in writing to the Registrar's Office. A hold will be placed on the release of directory information, which will remain in effect until the student files a written request to remove it.

Students should consider very carefully the effect of a decision to withhold directory information. If this decision is made, request for directory information from non-Alvernia University persons or organizations will be refused.

If a student does not request withholding of directory information, Alvernia University will assume that he or she approves of the disclosure of this information.

## VIII Directory Information

Directory information is contained in an education record of a student that would not be considered harmful or an invasion of privacy if disclosed.

Alvernia University Directory Information includes:

name, date of birth, class level, dates of attendance, enrollment status, most recent school attended, majors, minors, degrees, awards, anticipated graduation date, graduation date, activity & sport associations, and weight & height of athletes.

## IX Non-Directory Information

Alvernia University does not disclose social security numbers, grades, grade point averages, class schedules, academic actions nor the credits earned unless a student has signed consent.

## X Requests from Parents

Parents will request information from a student's education record. Under FERPA, institutions are not required to disclose information about a student to a parent but may do so if:

- 1 there is a written consent to disclosure to the parents from the student
- 2 the parent requests information in writing and proves evidence that the student is his or her dependent under the Internal Revenue Code of 1986
- 3 the student is under the age of 21 and has violated a Federal, State, or local law or any rule or policy of Alvernia University regarding the use or possession of alcohol or a controlled substance, and Alvernia University has determined that the student has committed a disciplinary violation with respect to that use or possession.

## XI Annual Notice

Alvernia University informs students of the FERPA Guidelines and of their rights under FERPA on our website and in other publications

Updated August 2009