Family Educational Rights and Privacy Act (FERPA)

As a Title IV Federal funds granting institution, Anderson University is required to comply with the Family Education Rights and Privacy Act (FERPA). This document outlines the FERPA rights of eligible students.

“FERPA,” The Family Educational Rights and Privacy Act 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 attend a postsecondary institution.) These rights include:

• The right to inspect and review the student’s education records within 45 days after the day Anderson University receives a request for access. A student should submit to the University Registrar a written request that identifies the record(s) the student wishes to inspect. The University Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University Registrar, the student will be advised of the correct university official to whom the request should be addressed.

• 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 University to amend a record should write the school 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 University decides not to amend the record as requested, the University 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.

• The right to provide written consent before Anderson University discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

• The University 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 Anderson University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Trust; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Anderson University who performs an institutional service or function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist 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 Anderson University.

- Anderson University may disclose PII from the education records without obtaining prior written consent of the student:
  - 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, such as a State postsecondary authority that is responsible for supervising the University’s State-supported education programs. Disclosures under this provision may be made in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with the Federal legal requirements that related to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation or enforcement or compliance activity on their behalf.
  - 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 organizations conducting studies for, or on behalf of, the school, in order to: (1) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
  - 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 comply with a judicial order or lawfully issued subpoena.
  - To appropriate officials in connection with a health or safety emergency.
  - Information the school has designated as “directory information.”
  - To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
  - To the general public, the final results of a disciplinary proceeding if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her.
  - 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.
  - The disclosure concerns sex offenders and other individuals required to register under section 17010 of the Violent Crime Control and Law Enforcement Act of 1994.
• If you believe that your FERPA rights have been violated, please file a complaint with the Office of the Registrar which will investigate the claim.

Office of the Registrar
registrar@andersonuniversity.edu
864-231-2120

• The right to file a complaint with the U.S. Department of Education concerning alleged failures by Anderson University 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

FERPA Annual Notice Addendum

As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which education records and personally identifiable information (PII) contained in such records – including Social Security number, grades, or other private information – may be accessed without the student’s consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to those records and PII without student consent to any third party designed by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may related to any program that is “principally engaged in the provision of education,” such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive students’ PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without student consent PII from education records, and they may track student participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Information About Students Considered Public Records
Certain items are considered to be public information or directory information and may be released by the University without written consent unless the University is instructed to withhold such information from the public. Items of public information are name, address, telephone listing, parents’ names, date of birth, field of study, participation in officially recognized activities and sports, weight and height of varsity athletes, dates of attendance, recognitions, degrees and awards received, and previous educational institutions attended. Any student who does not want this information released by the University must communicate this preference in writing to the Registrar by the end of the first week of classes each semester.