

Appendix G: University Policy – Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) 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 post secondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Norwich University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official 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 school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
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 school 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 school decides not to amend the record as requested, the school 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.

3. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The circumstances and university personnel that may access personally identifiable information (PII) without student consent are defined and described in paragraph 5 and 6.

If students wish to share their academic information with family members, employers, or other agencies a student must complete a FERPA release form each semester. The form provides permission for academic information to be released to the designated party until the end of the semester following the date the release is signed.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Norwich University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office (<http://www.ed.gov/policy/gen/guid/fpc/ferpa>)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. Directory Information:
Section §99.37 of the regulations allow the release of "Directory (Public) Information" without the student's consent. Directory Information Includes:

- Student's name
- Student's local address & telephone number
- Student's email address
- Dates of enrollment
- Date of disenrollment, but not the reason if prior to graduation
- Status of enrollment (i.e. whether the student is, or is not, currently enrolled)
- Full or part-time enrollment
- Major field of study
- Advisor
- Anticipated date of graduation, if currently enrolled
- Date of Birth
- Photos
- Participation in officially recognized activities and sports
- Degrees earned, if any, and date conferred
- Awards and honors received

Students have the right to withhold the release of "Directory Information." To do so, a student must make a written request for withholding of this information to the Registrar's Office. It should be noted that if a student asks for "Directory Information" to be withheld, it will be withheld from a variety of sources, including: friends, relatives, prospective employers, honor societies and the news media. Student directories are published on the University's web site, my.norwich.edu, at the end of the "add/drop" period. If the student has not made a request for their information to be blocked by that time, his or her name will appear in those directories. Students should be aware that directory blocks are permanent while in attendance and will not be removed without a written request, until they have completed their studies at Norwich.

6. "School Officials" with a "legitimate educational interest"
The school 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 Norwich University in an administrative, supervisory, academic, research, or support staff position (including law enforcement personnel and health staff); a person serving on the board of trustees; 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 Norwich University who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as 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 Norwich University.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations 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 -

- To other school officials, including professors, within Norwich University whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- 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, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate 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. (§99.31(a)(3) and 99.35)
- 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. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, 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. (§99.31(a)(14))
- 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. (§99.31(a)(15))