

# College of Saint Benedict

## Notification of Rights Under the Federal Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. Education records are records directly related to a student which are maintained by the College. Notwithstanding the foregoing, education records do not include the following:

- Records of instructional, supervisory, and administrative personnel, and ancillary educational personnel which are in the sole possession of the maker and are not accessible or revealed to any other individual except a substitute who may temporarily perform the duties of the maker;
- Records of a law enforcement unit of the College which are maintained separate from education records, are maintained solely for law enforcement purposes, and are not disclosed to individuals other than law enforcement officers;
- Employment records relating to students who are employed by the College which are made and maintained in the normal course of business and relate to students in their capacity as employees;
- Records created and maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, such as student health records to be used in connection with the provision of treatment to the student; or
- College records which contain only information relating to a person after that person is no longer a student (e.g., accomplishments of alumni).

Students' rights with regard to their educational records include the following:

1. The right to inspect and review the student's education records within 45 days after College of Saint Benedict receives a request for access. A student should submit to the registrar, academic dean or assistant academic dean, or the CSB dean of students 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.

There are some limitations on the rights of students to inspect records. Students shall have no right of inspection or review of: (a) Financial information submitted by their parents; (b) confidential letters and/or recommendations associated with admissions, employment, or job placement or the receipt of an honor or honorary recognition if the student has waived his/her right to inspect confidential letters and/or recommendations; and (c) education records containing information about more than one student, in which case the student will be provided access only to that part of the record pertaining to the inquiring student.

2. The right to request the amendment of the student's education records that the student believes are 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 contact the Vice President for Academic Affairs. A request to amend an educational record should be in writing. It should clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the College of Saint Benedict 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. Following the hearing, in the event the student is not satisfied with the outcome, the student will be given an opportunity to submit an explanatory statement for inclusion with the disputed educational record.

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.
4. 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:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in the FERPA regulations. FERPA regulations requires the institution to keep a record of the disclosure, 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 herself or himself. Eligible students have a right to inspect and review the record of disclosures. The following is a list of the types of disclosures the College of Saint Benedict may make without obtaining prior written consent of the student –

- To other school officials. A school official is a person employed by the College of Saint Benedict in an administrative, faculty, supervisory, academic, research, or support staff position (including law enforcement unit 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 the College of Saint Benedict 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 personally identifiable information from education records, such as an attorney, auditor, outside investigator, collection agent, or a student volunteering to assist another school official in performing his or her tasks. Because of the close coordinate relationship between the College of Saint Benedict and Saint John's University, including their joint policies, and because students often take classes and are

involved in activities on both campuses, employees and volunteers of Saint John's University, may, in many cases, be considered a School Official of the College of Saint Benedict. 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 of Saint Benedict.

- Although information regarding students' dorm and room numbers is designated as Directory Information, the College of Saint Benedict and Saint John's University generally do not provide such information publicly without the individual student's consent. One exception is disclosure to governmental entities to verify the residency of a student. Similarly, student email addresses are designated as Directory Information but are not generally provided except for the limited purpose of being disclosed to authorized users of the College's and University's internal network.
- 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.
- 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 College'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 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.
- 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 College, in order to: (a) 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 College has designated as "directory information." Directory information is information that would not violate a student's privacy if disclosed, including: the student's name; address; student dorm room numbers; telephone number; email address; photograph; date and place of birth; major field of study; class year; enrollment status (e.g.,

undergraduate or graduate, full-time or part-time); dates of attendance; participation in recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and past educational institutions attended. Students who do not want directory information to be disclosed by the College may notify the registrar in writing of what directory information they do not want disclosed. The notification must be received within 40 calendar days from the first scheduled day of class of fall term. All written requests for non-disclosure will be honored by the College for one (1) academic year; therefore, authorization to withhold directory information must be filed annually.

- With regard to educational records relating to an alleged crime of violence or a non-forcible sex offense, information regarding the final results of the disciplinary proceeding may be disclosed to the alleged victim regardless of the finding. Information regarding the final results of the disciplinary proceeding may be disclosed to the general public only in the event the College determines the alleged perpetrator 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.
- Where student authorization is required prior to disclosure of an educational record, College of Saint Benedict will obtain written consent from students before disclosure. The written consent for disclosure will: (a) specify the records to be released; (b) state the purpose of their disclosure; (c) identify the party or class of parties to whom disclosures may be made; and (d) be signed and dated by the student. All such consents will also be maintained in the education record of the student.