

# MyComputerCareer Disclosure Policy & Notification of Rights under FERPA

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## Key Definitions

**Attendance:** in accordance with the schools enrollment agreement, a student is considered enrolled once they have clocked attendance in an academic course of instruction. The FERPA rights begin at that time.

**Directory Information:** generally public information, which includes: name, address, e-mail address, dates of attendance, degrees and awards received, major/academic program, and enrollment status

**Non-Directory Information:** information which requires consent of the student for disclosure, which includes: race, ethnicity, religion, citizenship, gender, and grades/GPA, social security number,

**Eligible Student:** Aged 18 or enrolled in higher education, whichever occurs first. See attendance definition for clarification of enrolled.

**Parent:** either parent or legal guardian

**Personally Identifiable Information:** includes anything that can be directly or indirectly related to an individual student.

**Record:** information recorded by any method

**Student:** any individual who is or has been in attendance.

## Disclosure Policy

Students can request access to their grade, attendance, and other records at any time through their Instructor, Director of Education, or Campus Director. Transcripts will be provided upon request to any student.

Students are also advised that the institution is required to follow the requirements contained in the Family Educational Rights and Privacy Act, which is outlined below.

## Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days after the day the MyComputerCareer receives a request for access. A student should submit to Campus Director (CD) or Assistant Director of Education (ADOE) 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 MyComputerCareer to amend a record should write the Campus Director or Assistant Director of Education, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If MyComputerCareer decides not to amend the record as requested, MyComputerCareer 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 MyComputerCareer discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

MyComputerCareer 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 typically includes a person employed by the MyComputerCareer 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 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 MyComputerCareer who performs an institutional service of 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 an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for MyComputerCareer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the MyComputerCareer to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Student Privacy Policy Office; U.S. Department of Education; 400 Maryland Avenue, SW; Washington, DC 20202

See the list below of the disclosures that postsecondary institutions may make without consent.

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 teachers, within MyComputerCareer 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)(3) 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<sup>1</sup>, 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))

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<sup>1</sup> MyComputerCareer adheres to all requirements pertaining to the protection of student information. There are limited exceptions to FERPA regulations under which the school is permitted to disclose education records or personally identifiable, non-directory information from education records in connection with a health or safety emergency without student consent. The situation must present imminent danger to a student, other students, or members of the school community to qualify as an exception. This action is not taken lightly and only under circumstances that present imminent danger.