



NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS July 2023

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

1. The right to inspect and review the student's education records within 45 days of the day Jersey College receives a request for access.

Students should submit to the Administration Office, a written request that identifies the record(s) the student wishes to inspect. The Administration Office 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 Administration Office, the Administration Office 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 are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Students may ask Jersey College to amend a record by writing the 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 College 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. 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 Jersey College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Jersey College 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 the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using institutional employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting 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.

Upon request, the institution also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the institution 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 20202-5901 FERPA@ed.gov

5. *The right to not have certain "directory information" published*.

Jersey College may make public without student consent certain "directory information." This information consists of a student's name, e-mail address, major, field(s) of study, dates of attendance, and degrees or awards received. A student who prefers that such "directory information" not be made public must notify the Administration Office. The request for nondisclosure remains in effect until rescinded by the student.

Under certain circumstances, Jersey College can disclose Personally Identifiable Information from educational records without obtaining prior consent of the student. These include:

- a. To other school officials, including teachers, within Jersey College 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))
- b. 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))
- c. 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)
- d. 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))
- e. 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))
- f. To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- g. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- h. To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- i. To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))

- j. Information the school has designated as “directory information” under § 99.37. (§ 99.31(a)(11))
- k. 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))
- l. 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))
- m. 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))