



Policy Title: Family Education Rights and Privacy Act (FERPA)

Policy Number: PS 13

Purpose of Policy: To protect the privacy of educational records, to establish the right of students to inspect and review their educational records, and correct inaccurate and misleading data within the education record.

Applies to: Students, staff, faculty, third party entities in connection with the university the student or both.

Policy Statement:

- 1. FERPA Rights:** Bellevue University encourages students to exercise all of their rights under the Family Educational Rights and Privacy Act (20 U.S.C. 1232g; 34 CFR Part 99).
 - a. The right to inspect and review, with certain limited exceptions, the student's educational records, including the right to receive explanations and interpretations of the records and to obtain copies of the records when such are needed to allow the student to effectively exercise his/her right of inspection and review;
 - b. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (please see Disclosure of Education Record Information for details);
 - c. The right to correct a student's education records when the records are inaccurate, misleading or otherwise in violation of FERPA;
 - d. The right to report violations of FERPA to the Department of Education. 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.
- 2. Annual Notification:** In compliance with the FERPA regulations at 34 CFR 99.7, Bellevue University will provide notification to students of their FERPA rights.
- 3. Disclosure of Education Record Information:** A student must provide written consent before an institution may disclose personally identifiable information from their education records. Bellevue

University reserves the right to accept electronic signature as “written” consent as long as the conditions stipulated within of the FERPA regulations at 34 CFR 99.30 are met.

Bellevue University may release personally identifiable information from a student’s education record without the student’s written consent if the disclosure meets one or more of the following conditions:

- The disclosure is to other school officials, including teachers, within the institution whom the institution has determined to have a legitimate educational interest.
- The disclosure is to officials of another institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment transfer
- The disclosure is to authorized representatives of federal, state or local educational authorities
- Disclosure is to the student
- In connection with your request for/receipt of financial aid.
- If required by a state law requiring disclosure that was adopted before November 19, 1974.
- To organizations conducting certain studies for or on behalf of the University.
- To accrediting organizations to carry out their functions.
- To your parents if they claim you as a dependent for income tax purposes.
- To comply with a judicial order or a lawfully issued subpoena.
 - *NOTE: The University will make a reasonable effort to notify you or a designate of the order or subpoena in advance of compliance.*
- To appropriate parties, including parents, in a health or safety emergency if necessary to protect the health or safety of any individual, subject to the requirements of 34 CFR 99.36.
 - *NOTE: The University provides students an opportunity to designate an emergency contact at any time. In the absence of a designated emergency contact, the University will use any available resources to identify an appropriate party to notify.*
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of 34 CFR 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. (34 CFR 99.31 (a) (13)).
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of 34 CFR 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. (34 CFR 99.31 (a) (14)).
- To parents of a student regarding the student’s violation of any Federal, State or local law, or 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. (34 CFR 99.31 (a)(15)).
- Information the school has designated as “directory information” under 34 CFR 99.37. (34 CFR 99.31 (a)(11)).

Bellevue may release, without written consent, those items specified as directory information. The following items are considered directory information:

- Student name
- Student address
- Major field of study
- Participation in recognized activities and sports
- Height and weight of members of athletic teams

- Photos of students
- Current employer
- Current employer location
- Job title
- Dates of attendance
- Degree and awards received
- Most recent previous school attended
- Telephone Number
- Email Address
- Place and date of birth
- Grade level
- Enrollment Status

Per the FERPA regulations at 34 CFR 99.37, students may request to restrict directory information. Bellevue does not assume any responsibility for contacting a student for ongoing permission to release Directory Information and does not assume liability for honoring a student's request to restrict disclosure of directory information. For students who have restricted their Directory Information, Bellevue University is unable to honor your request if you choose to participate at the graduation ceremony as the ceremony will be streamed live and will be available to the general public for a period of time.

Bellevue University reserves the right to exercise its discretion to limit disclosure of directory information "to specific parties, for specific purposes, or both."

- 4. General Observance:** Bellevue University will comply with the rights, provisions, and regulations of The Act including, but not limited to, student access and limitations, record management of requests and disclosures pertaining to student educational records.

NOTE: Bellevue University reserves the right to exercise discretion on disclosure of information regarding individuals/groups not explicitly protected by FERPA.

Procedures	Please contact the Registrar's Office for procedures regarding FERPA including, but not limited to: <ul style="list-style-type: none"> ▪ Inspecting, reviewing, amending education records ▪ Restricting disclosure of directory information
Documentation:	Family Educational Rights and Privacy Act of 1974, as amended, enacted as Section 444 of the General Education Provisions Act (20 U.S.C. 1232G; 34 CFR Part 99).
Corresponding Publications:	Course Catalog, Faculty Handbook, bellevue.edu
Definitions:	Student: Any person who attends or has attended Bellevue University.

University Official: Members of the University in an administrative, supervisory, academic, research, support, staff position. A University official may include persons employed by the University as well as contractors or volunteers who perform 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 agent, attorney, auditor, or collection agent.

Educational Interest: Having the need to know within the limitations typically required to fulfill his or her official responsibilities or by a contract agreement that is related to a student's educational experience.

Education Records: Information in any medium directly related to the student and maintained by the institution. Records not considered part an education record include, but are not limited to, the following:

- Sole possession records
- Medical records made or maintained by physician, psychiatrist or other recognized professional or used only in connection with treatment of the student

Keywords: FERPA, student record, student, university official, educational interest, directory information, educational record, disclosure, student rights, annual notice, Clery Act, course catalog, inspect, review, amend, written consent and access.

Responsible Office: Registrar's Office

Contact Information: Registrar's Office
402-557-7245

Approved by: Dr. Mary Hawkins

Effective Date: August 18, 2022

Review Cycle and Dates: This policy supersedes previous versions of PS 13, dated September 2016, July 1994, and July 1998.

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

8/18/2022
Date