

Ursuline College

Ursuline College FERPA and General Data Protection Regulation (GDPR) Policies

The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment, affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years or older or who attends a postsecondary institution.)

Education records at Ursuline College are those student records that are kept on the offices of the Registrar, Student Life, Admissions, Financial Aid, Advising, Academic Affairs and in the offices housing records of individual academic programs and advisors.

Educational records do not include: records of instructional, administrative, and educational personnel that are the sole possession of the maker and are not accessible or revealed to another individual; student health and personal counseling records; student employment and alumni records.

The College has designated the Registrar as the official responsible for FERPA compliance.

Student rights under FERPA include:

- The right to inspect and review the student’s education records. A student shall submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements within 45 days of receiving the written request 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.

FERPA does not afford the student the right to obtain copies of those records. In instances where a student is unable to visit campus to review the record, the College will make appropriate arrangements to allow the student to obtain access. This may be accomplished by providing photocopied or electronic copies or by making arrangements with an appropriate third party such as another institution or attorney’s office to act as an agent of the College.

Students may not inspect financial information submitted by their parents or confidential letters and recommendations associated with admissions,

employment, or honors. The College will permit access only to the part of the record that pertains to the student requesting access.

- 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 rights 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 the hearing.

- The right to provide written consent before the college discloses personally identifiable information (PII) from the student's education record, except to the extent that FERPA authorizes disclosure without consent.

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 Ursuline College 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 college committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Ursuline College 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 educational records, such as an attorney, auditor, or collection agent. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for Ursuline College.

PII may also be disclosed to state and federal agencies as outlined in the FERPA statute 20 U.S.C. § 1232g and regulations at 34 CFR Part §99.

Prior consent to disclosure of personal information will not be required when notice is made to appropriate parties in connection with an emergency, where knowledge of the information is necessary to protect the health or safety of the student or other individuals. For example, in a life-threatening situation, parents or guardians may be contacted with information.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Ursuline College to comply with the requirements of FERPA.

Student Privacy Policy Office (SPPO)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

www.studentprivacy.ed.gov/file-a-complaint

Directory Information

Data classified as directory information at Ursuline College and which may be released upon request without student consent includes:

- Student name
- Address
- Telephone number
- e-mail address
- date of birth
- dates of attendance
- major field of student, degrees, and degree date
- awards received
- participation in officially recognized activities and sports
- The most recent previous educational agency or institution attended by the student.

NOTE: Parent name, address and telephone number are not considered directory information.

Requests for Non-Disclosure or to Release Personally Identifiable information (PII)

As a private college, Ursuline College does not comply with requests submitted under state open records laws. Additionally, Ursuline College respects the privacy of our students and discretion is always used when responding to requests for directory information. The privacy rights of an individual under FERPA expire with the death of the individual. Ursuline College will only release a deceased student's personally identifiable information to the next of kin with proof of passing.

Students may request non-disclosure of directory information with the Registrar's Office or the Student Services Center in Mullen Building. A request for non-disclosure of directory information (FERPA block) does not prevent the release of information under many of the allowed exceptions noted above.

Additionally, in the absence of a request non-disclosure of directory information, information about a student's accomplishments, such as participation in recognized student activities and receipt of awards and honors, may be communicated to news media, parents, and the high school the student attended unless the student specifically requests that such communication not take place.

Non-Disclosure (FERPA Block)

To request non-disclosure of directory information (FERPA block) a student must submit the Restricting Release of Directory Information form to the Registrar's Office or the Student Services Office. Non-disclosure requests must be submitted within the first two weeks from the first day of classes, as published on the academic calendar. The request will be honored for one academic year and a new form must be filled annually. Even if a FERPA block is submitted, those persons authorized by law to inspect education records without consent may still inspect it. See 34 CFR §99.31 and §99.37.

FERPA Release

Students may authorize Ursuline College employees to release information to individuals, such as a parent or guardian, by submission of an Authorization of Release (FERPA Release) form in person. This form allows students to select which categories of information may be disclosed: Academic, Conduct/Housing, Financial Aid, Billing. The form must be signed by the student and submitted to the Registrar's Office or Student Services Center in Mullen Building. The release may be revoked at any time by submitting the Revocation of Consent to Release Information Form.

The authorization to release information does not serve as a power of attorney, allowing parents to conduct business on behalf of the student nor does it provide electronic access to student information automatically.

For purposes of compliance with FERPA, the College considers all students independent.

General Data Protection Regulation (GDPR)

In May 2018, the European Union expanded privacy and security protections for personal information European Union (EU and EEA) residents, known as the General Data Protection Regulation, or GDPR.

Rule basics:

- It applies to all organizations that collect, use, share or otherwise possess personal data of EU residents.

- It defines personal data as any data that can be used to identify an individual person. Examples include, but are not limited to, names, photographs, email addresses, and genetic, mental, cultural, economic, technological, or social information.
- It states that organization must process information lawfully, for specified, legitimate purpose, and ensure appropriate security of the information.
- It allows EU citizens to have the right to access, update, restrict processing in certain situations, and request erasure of personal information when the institution no longer uses it.

For general information, review the European Commission's website at https://ec.europa.eu/info/law/law-topic/data-protection_en.

Ursuline College collects personal information, including but not limited to; name, address, email address, phone numbers, social security number and educational background. Such personal information may be requested for research, federal and/or state reporting requirements, or for administrative purposes related to college operations. For record access or questions, contact the Registrar's Office.