

# Confidentiality of Educational Records

The College follows the general policy of not releasing personal student information to outside agencies without the expressed consent of the student. The College makes periodic evaluations of the information placed in student records to ensure that only information related to the specific purpose of the educational program is collected and maintained. In the following policy statement, a "student's record" shall be construed as containing the academic record, the health record (not including counseling files), the placement files including references for future application (unless a waiver of right to see references has been signed), and record of official College response to disciplinary or academic problems.

The *Family Educational Rights and Privacy Act (FERPA)* of 1974 accords to students four basic rights:

- The right to "inspect and review" student records.
- The right to have "an opportunity for a hearing to challenge the contents of their school record."
- The right to have an "opportunity for correction or deletion" of inaccuracies or otherwise inappropriate data.
- The right to require written consent from students themselves for release of information about them.

The following College policies are intended to realize these rights and to conform to the 1974 legislation:

- All material placed in the student's record after January 1, 1975, is accessible to the individual student for inspection, review and possible correction. Confidential material written about a student prior to that date remains confidential and therefore inaccessible.
- No material in a student's record is released to any other person, agency or institution without prior formal consent of the student. It is in the best interests of students filing applications for programs such as VISTA or Peace Corps which require student record information, to make certain that suitable arrangements are first made with the Student Development Office and the Registrar for the release of this information. The state and federal government has the right to subpoena student records, in which case the student's consent is not required but the student is informed. When written reports or transcripts are prepared for release, they are made and forwarded only by professional staff members in the administrative or faculty offices which received the request for information.
- For convenience, students are given the option of signing a document at registration or in the Registrar's Office which allows information regarding only the academic portion of their student record to be released to special investigative agencies or to other academic institutions without prior consent of the student. Otherwise, students may request that no information be released unless they are contacted each time there is an inquiry.
- If personally identifiable information obtained from a student's education record is included in a letter of recommendation (grades, GPA, etc.), the recommender is required to obtain a signed release from the students which specifies the records that may be disclosed, states the purpose of the disclosure, and identifies the party or class of parties to whom the disclosure can be made. The form can be found on the Registrar's Office's website.
- A student may waive their rights of access to individual written recommendations for admissions, employment or honorary recognitions. Such waiver forms are available in the Student Development Office.
- Occasionally it is important that Earlham make available general information about students for educational research purposes. In releasing such data for research, great care is taken to protect the identity of individual students. If the limits of confidentiality are ever in question, formal consent must be obtained from the student.
- Information concerning professional counseling and psychotherapy with students is confidential to the student and the Counseling Staff. Counseling files are not open to school officials and hence are not a part of a student's record. This information may be released to parents or qualified professional and psychiatric personnel only with the permission of the individual student.
- Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the College decides not to amend the record as

requested by the student, the College notifies the student of the decision and advises the student of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures is provided to the student when notified of the right to a hearing.

- The procedures for granting a request by a student to see any or all part of his/her student record are as follows:
  - The student must make a written request to the Registrar's Office to see such information.
  - As the law requires, access will be granted "within a reasonable period of time, but in no case more than 45 days after the request has been made." The Registrar's Office informs the student of when the file is available.
  - If the requested records are not maintained by the Registrar's Office, the student is referred to the appropriate office.
- Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures to comply with the requirements of FERPA at the following address:
  - Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue S.W.  
Washington, D.C. 20202-4605

Students may give specific individuals access to their educational records using the Consent to Release Education Records form available on the Registrar's Office website. Access can also be limited to specific categories: Grades, Financial Aid, and Billing. Permissions can be added, modified, or revoked at any time.

## Additional Information for International Students

FERPA applies to all students regardless of their immigration status. Students who sign the Form I-20 consent to the release of this information for the purposes of SEVIS reporting.