

## ***The Family Educational Rights and Privacy Act (FERPA)***

The Family Educational Rights and Privacy Act (FERPA) afford 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.)

These rights include:

1. The right to inspect and review the student’s educational records within 45 days after the day ATS Institute of Technology School receives a request for access. A student should submit to the Academic Advisor, a written request that identifies the record(s) the student wishes to inspect. The Academic Advisor will make arrangements for access and notify the student of the time and place where the records may be inspected.
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 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 to be changed and specify why it should be changed. If the college decides not to amend the record as requested, the school 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 the school discloses personally identifiable information (PII) from the student’s records, 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 employed by the School in an administrative, supervisory, academic, or support staff position (including law enforcement unit personnel, regulatory entities, officials designated by the Department of Education and health staff); or serving on an official committee, such as a disciplinary or grievance committee. A school official also may include an outside contractor who is under the direct control of the college with respect to the use and maintenance of PII from education 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 his/her professional responsibilities for the School. Upon request, the school also discloses education records without consent to officials of another school in which the student seeks or intends to enroll. ATS Institute of Technology will make reasonable attempts to notify each student of these disclosures.
4. The right to file a complaint with the U. S. Department of Education concerning alleged failures by ATS Institute of Technology School 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

ATS Institute of Technology School is legally permitted to disclose directory information without the student’s prior written consent. The School designates the following items as directory information: student’s name; dates of attendance; location of attendance; email address; website address; program of study; participation in officially recognized activities; degree, diplomas, and certificates awarded; enrollment status (i.e., enrolled, active, future enrolled student, reentry, on leave of absence, withdrawn, etc.).

Students may request that ATS Institute of Technology School not disclose any or all their directory information. Requests for non-disclosure must be in writing with the school Academic Advisor office. This policy is also located on the school website.

### **Directory Information**

FERPA permits the disclosure of education records, without the consent of the student, if the disclosure meets certain conditions found in 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, FERPA regulations require the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose education records without obtaining prior written consent of the student in the following instances:

- To other school officials, including teachers, within the school 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.
- 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.
- 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 institution's State-supported education programs. Disclosures under this provision may be made, 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 to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement of compliance activity on their behalf. Disclosures may also be made 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.
- 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.
- To accrediting organizations to carry out their accrediting functions.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency.
- Information the school has designated as "directory information" may be released at the school's discretion. The School has defined directory information as the student's name, address, phone number, e-mail address, birth date, enrollment status/grade level, date of graduation, degrees, and honors received, photos, major field of study, dates of attendance, participation in officially recognized activities and sports, most recent institution attended, and student identification. If a student does not want his or her directory information to be released to third parties without the student's consent, the student must present such a request in writing to the College within 45 days of the student's enrollment or by such a later date as the institution may specify. Under no circumstance may the student use this right to opt-out to prevent the institution from disclosing that student's name, electronic identifier, or institutional e-mail address in a class in which the student is enrolled.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding 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.
- 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 twenty-one.
- No information will be released to any person(s) on the telephone or via email.