



New England College of Optometry

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Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the Registrar, Dean, Head of the Academic or Clinical Departments/Offices, or other appropriate official, a written request that identifies the record(s) he/she wishes to inspect. The College official 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 College official to whom the request was submitted, that official 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 is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. The student may ask the College to amend a record that he/she believes is inaccurate or misleading. A student who wishes to ask the College to amend a record should write the College 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 advise the student of his/her 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 College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is the disclosure to college officials with legitimate educational interests. A college official is defined as 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 (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his/her professional responsibilities for the College.

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

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records – including your Social Security Number, grades, or other private information – may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Administrative office for FERPA: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920