ANNUAL NOTICE TO STUDENTS

Family Educational Rights and Privacy Act (FERPA)

Notification of Privacy Rights Under the Family Educational Rights and Privacy Act (FERPA) (General Education Provisions Act, Sec. 438, Pub. L. 90-247, Title IV, as Amended).

Rust College adheres to a policy of compliance with the Family Educational Rights and Privacy Act. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Therefore, it is the policy of Rust College to:

- Give parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of eighteen or attends a school beyond the high school level. Students to whom the rights have transferred are **"eligible students."**
- Give eligible students the right to inspect and review their educational records maintained by the school. The college is not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Schools must have written permission from the parent or eligible student to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
    - School officials with legitimate educational interest;
    - Other schools to which a student is transferring;
    - Specified officials for audit or evaluation purposes;
    - Appropriate parties in connection with financial aid to a student;
    - Organizations conducting certain studies for or on behalf of the school;
    - Accrediting organizations;
    - To comply with a judicial order or lawfully issued subpoena;
    - Appropriate officials in cases of health and safety emergencies; and
    - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, student handbook, or newspaper article) is left to the discretion of the institution.

- The right to file with the U. S. Department of Education a complaint concerning alleged failures by the college 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 20202-4605

  Additional Information:

- Please click here for a FERPA Guide Brochure for Parents (pdf)
- Please click here for a FERPA Guide Brochure for Faculty/Students (pdf)

DIRECTORY INFORMATION AS DEFINED BY THE PRIVACY ACT OF 1974

Certain educational records are considered “directory information.” Directory information may be disclosed by the college without a student’s consent unless the student has “opted out” of such disclosures (see below). The college treats the following information about eligible students as directory information subject to release.

Student name, address, telephone number, degrees, awards/honors and date received, dates of attendance, full or part-time status, date and place of birth, classification, photographs, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, most recent previous educational agency or institution attended by the student, and email addresses may be released by the college without prior consent of the student. Nevertheless, the Registrar’s Office can only release this information. A student may request in writing to the registrar that directory information not be released.

STUDENTS’ RIGHTS UNDER FERPA

Subject to limitations specified in the Act, eligible students are assured the following rights pertaining to their educational records.

1. The right to inspect and review their records, to request reasonable explanations and interpretations of them, and to obtain copies of them at their own expense. Students may request their records from the Office of the Registrar, or from any other office on campus where education records are kept. The college will either allow the student to inspect the records or will provide copies to the student within a reasonable amount of time. If the

records are not subject to disclosure under FERPA, the college will provide the student with an explanation for the non-disclosure.

2. The right to seek correction of records that are believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. If the college denies the request to amend, then the student has the right to ask for a formal hearing on the matter.

3. The right to control the disclosure of personally identifiable information from their records to third parties. To authorize a disclosure, students should provide the college with a signed, dated, written consent that specifies the records that may be disclosed and identifies the party to whom the disclosure may be made. Students may also electronically allow the release of their educational records on an ongoing basis (such as to parents or guardians) through Bearcat Self-Service. Students electronically authorizing the disclosure of records must identify both the individual entitled to receive records and the type of records subject to disclosure. This authorization may be revoked at any time by the student.

4. The right to file with the U.S. Department of Education a complaint alleging failure by the college to comply with the requirements of the Family Educational Rights and Privacy Act.

5. For additional information about students' rights, see 34 C.F.R. §99 *et. seq.* or contact the Office of the Registrar located in McCoy Administration Building, Suite 202.

Opting Out of the Release of Directory Information.

A student may refuse the disclosure of any or all of the types of information designated above as Directory Information by submitting a written request to the Office of the Registrar. Students may contact the Office of the Registrar at any time to make this request; however, the college is not responsible for disclosures of directory information made prior to a student's notifying the Registrar of his or her decision to opt out.

Release of Education Records Not Requiring Consent

1. The college is authorized to provide access to student records to campus officials, employees and contracted agencies who have a legitimate educational interest in such access, without the student's written consent. These persons are those who have responsibilities in connection with campus academic, administrative or service functions and who have reason for using student records connected with their campus or other related academic/administrative responsibilities as opposed to a personal or private interest. Such determination will be made on a case-by-case basis.

2. The college is authorized to disclose information from an educational record to appropriate parties, including parents, in connection with an emergency if knowledge of

the information is necessary to protect the health or safety of the student or other individuals.

3. The college is authorized to disclose to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense the final results of the disciplinary proceeding conducted by the college with respect to that alleged crime or offense. The college may disclose the final results of the disciplinary proceeding, regardless of whether the institution concluded a violation was committed. The college may disclose to a parent of a student the student's violation of any Federal, State, or local law, or policy of the college, governing the use or possession of alcohol or a controlled substance if— (i) The college determines that the student has committed a disciplinary violation; and (ii) The student is under the age of 21 at the time of the disclosure to the parent.
4. For additional information about disclosures not requiring consent, such as disclosures to government agencies, see 34 C.F.R. §99 *et. seq*., or contact the Office of the Registrar.

Questions concerning the privacy act may email the registrar at

Questions regarding records, the release of information and/or request a paper copy of the Privacy Act may be directed to the Office of the Registrar, Rust College, 150 Rust Avenue, Holly Springs, MS 38635. The email address is **registrarteam@rustcollege.edu** and the telephone number is 662.252.8000 Ext 4056 or 4055.

Students wishing to file a complaint with the U.S. Department of Education can send the complaint to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, D.C. 20202.

Rust College
Office of the Registrar
150 Rust Avenue
Holly Springs, MS 38635
662-252-8000 Ext 4056 or 4055