The Family Education Rights and Privacy Act's Policy on Disclosure of Student Records

The Family Education Rights and Privacy Act of 1974, commonly known as FERPA, is a federal law that protects the privacy of student education records. Students have specific, protected rights regarding the release of such records and FERPA requires that institutions adhere strictly to these guidelines. Consequently, it is the policy of Washington Bible College/Capital Bible Seminary (1) to permit students to inspect their education records, (2) to limit disclosure to others of personally identifiable information from education records without students' prior written consent, (3) to provide students the opportunity to seek correction of their education records where appropriate, and (4) to inform students of their right to file complaints against the school if educational records are disclosed in violation of FERPA.

I. Definitions

"Student" means an individual who is or who has been in attendance at Washington Bible College/Capital Bible Seminary and for whom the institution maintains educational records. It does not include any applicant for admission to the institution or anyone who participated in the non-credit adult education, continuing education or correspondence program.

"Education records" include those records that contain information directly related to a student and that are maintained as official working files by the institution.

"Record" means any information maintained in any way, including, but not limited to:

- Handwriting
- Computer media
- Print
- Video or audio tape
- Film
- Microfilm and microfiche

A. The following are examples of education records:

1. Academic/Enrollment Information – Application for admission, transcripts from institutions previously attended, and ongoing academic and biographical records;
2. Student Account Information – Student accounts receivables, charges, and credits;
3. Financial Aid Information – Financial aid applications, needs analysis statements, and awards;
4. Resident Life Information – Students' housing records

B. The following are not education records:

1. Records about students made by instructors, professors and administrators for their own use and not shown to others;
2. Campus security records maintained solely for law enforcement purposes and kept separate from the education records described above;
3. Employment records, except where a currently enrolled student is employed as a result of his or her status as a student;
4. Records of a physician, psychologist, or other recognized professional or paraprofessional made or used only for treatment purposes and available only to persons providing treatment.
5. Records that contain only information relating to a person's activities after that person is no longer a student at the institution (i.e. alumni records).

II. It is the policy of Washington Bible College/Capital Bible Seminary to permit students to inspect their education records.

A. Right of Access

Each student has a right of access to his or her education records, except confidential letters of recommendation received prior to January 1, 1975, and financial records of the student's parents.

B. Waiver
A student may, by a signed written statement, waive his or her right of access to confidential recommendations in three areas: admission to any educational institution, job placement, and receipt of honors and awards. The Institution will not require such waivers as a condition for admission or receipt of any service or benefit. If the student chooses to waive his or her right of access, he or she will be notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations will be used only for the purpose for which they were specifically intended. A waiver may be revoked in writing at any time, and the revocation will apply to all subsequent recommendations, but not to recommendations received while the waiver was in effect.

C. Locations of Education Records

1. Academic/Enrollment Records – Offices of the Registrar, Academic Dean, Department Heads, Academic Advisors
2. Student Account Records – Student Accounts Office/Business Office
3. Financial Aid Records – Financial Aid Office
4. Resident Life Records – Office of Student Life and Development

D. Procedure
Students should submit to the appropriate office (see above) written requests that identify the record(s) they wish to inspect. The College/Seminary 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/Seminary official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

The Institution will comply with a request for access within 45 days. In the usual case, arrangements will be made for the student to read his or her records in the presence of a staff member. If facilities permit, a student may ordinarily obtain copies of his or her records by paying reproduction costs/transcript fees. No copies of any transcripts in the student's records other than the student's current Institutional transcript will be provided. Official Institutional transcripts (with College/Seminary seal) will be provided for a fee.

III. It is the policy of Washington Bible College/Capital Bible Seminary to limit disclosure of personally identifiable information from education records unless it has the student's prior written consent, subject to the following limitations and exclusions.

A. Directory Information
Some information in a student's educational record is defined as directory information under FERPA. Under a strict reading of FERPA, the school may disclose this type of information without the written consent of the student. However, the student can exercise the option to restrict the release of directory information by submitting a formal request to the school to limit disclosure. Directory information may include:

- Name
- Address
- Telephone listing
- Email address
- Date and place of birth
- Photograph
- Major field of study
- Full or part time status
- Class
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Degrees and awards received, including dates
- Previous educational institutions attended

1. This information may be disclosed unless the student files written notice requesting the Institution not to disclose any information within four weeks of the first day of the semester in which the student enrolls each school year. This notice must be re-filed annually in the fall within the above allotted time to avoid automatic disclosure of directory information. The notice should be filed with the Registrar's Office.
2. The Institution will give annual public notice to students of the categories of information designated as directory information.
3. All requests for non-disclosure of directory information will be implemented as soon as publication schedules will reasonably allow.

B. Prior Written Consent

A student's prior written consent is required before the institution discloses non-directory information, except as indicated below.

1. Prior Consent Required

The Institution will not release personally identifiable information in education records or allow access to those records without prior consent of the student. Each written consent must include the following elements:

- Specify the records to be disclosed;
- State the purpose of the disclosure;
- Identify the party or class of parties to whom the disclosure is to be made;
- The date;
- The signature of the student whose record is to be disclosed.

A copy of the record disclosed will be provided to the student upon request and at his or her expense.

2. Prior Consent Not Required

Prior written consent is not required when disclosure of education records is made directly to the following parties:

- The student or other school officials where there is a legitimate educational interest.
- Officials of other schools in which a student seeks or intends to enroll or is enrolled. Upon request, and at his or her expense, the student will be provided with a copy of the records that have been transferred;
- Authorized representatives of the Comptroller General of the U.S., the Secretary of Education, the Secretary of the Department of Health and Human Services, the Director of the National Institute of Education, the Administrator of the Veterans' Administration, but only in connection with the audit or evaluation of federally supported education programs, or in connection with the enforcement of or compliance with Federal legal requirements relating to these programs. Subject to controlling Federal law or prior consent, these officials will protect information received so as not to permit personal identification of students to outsiders and destroy such information when it is no longer needed for these purposes;
- Authorized persons and organizations that are given work in connection with a student's application for, or receipt of, financial aid, but only to the extent necessary for such purposes as determining eligibility, amount, conditions, and enforcement of terms and conditions;
- State and local officials to which such information is specifically required to be reported by effective state law adopted prior to November 19, 1974;
- Organizations conducting educational studies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. The studies shall be conducted so as not to permit personal identification of students to outsiders, and the information will be destroyed when no longer needed for these purposes;
- Accrediting organizations for purposes necessary to carry out their functions;
- Parents of a student who is a dependent for income tax purposes.
- 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;
- Officials of the judicial system in response to a court order or subpoena.

C. Record of Disclosures

The Institution will maintain with the student's education records a record for each request and each disclosure, except for the following:

1. disclosures to the student himself or herself;
2. disclosures pursuant to the written consent of the student (the written consent itself will suffice as a record);
3. disclosures to instructional or administrative officials of the Institution;
4. disclosures of directory information.

This record of disclosures may be inspected by the student, the official custodian of the records, and other institutional and governmental officials.

IV. It is the policy of Washington Bible College/Capital Bible Seminary to provide students the opportunity to seek correction of their education records.

A. Request to Correct Records

A student who believes that information contained in his or her education records is inaccurate, misleading, or in violation of privacy or other rights may submit a written request to the Office of Educational Support Services specifying the document(s) being challenged and the basis for the complaint. The request will be sent to the person responsible for any amendments to the record in question. Within 45 days of receipt of the request, the Institution will decide whether to amend the records in accordance with the request. If the decision is to refuse to amend, the student will be so notified and will be advised of the right to a hearing. He or she may then exercise that right by written request to the Office of Educational Support Services.

B. Right to a Hearing

Upon request by a student, the Institution will provide an opportunity for a hearing to challenge the content of the student's records. A request for a hearing should be in writing and submitted to the Office of Educational Support Services. Within 30 days of receipt of the request, the student will be notified in writing of the date, place, and time of the hearing. Generally, the hearing will be held a maximum of 45 days from the receipt of the request.

1. *Hearing*. The hearing will be conducted by an Institutional official who does not have a direct interest in the outcome. The student will have a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.

2. *Decision*. Within a reasonable period of time after the conclusion of the hearing, the Institution will notify the student in writing of its decision. The decision will be based solely upon evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision. If the Institution decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the Institution will amend the records accordingly.

3. *Comments/Statements of Disagreement*. If, as a result of the hearing, the Institution decides that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the Institution will inform the student of the right to place in his or her record a statement commenting on the information and/or explaining any reasons for disagreeing with the Institution's decision. Any such explanation will be kept as part of the student's record as long as the contested portion of the record is kept and will be disclosed whenever the contested portion of the record is disclosed.

V. Right to File Complaint

It is the policy of Washington Bible College/Capital Bible Seminary to inform students of their right to file complaints against the school if educational records are disclosed in violation of FERPA. A student alleging Institutional noncompliance with the FERPA may file a written complaint with the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605.