

Adopted by President's Cabinet 7/28/15

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Notification of Student Rights under FERPA

FERPA is a federal privacy law that protects the disclosure of student records. Per FERPA, a "student" is defined as any individual who is or has been in attendance at EGSC and regarding whom EGSC maintains educational records. For purposes of this policy, EGSC considers a student to be "in attendance" once the student is admitted, enrolled and upon the first day of class. "Educational records" are records directly related to the student and maintained by the college or a party acting for the college. FERPA does not apply to applicants that are denied or who are admitted but chose not to attend. FERPA does not apply to applicants until the applicants are admitted, enrolled and in attendance at EGSC.

The Records Office maintains permanent academic records on all students who have ever enrolled in the college to include the official transcript and the official documents of each student. The student's folder may contain the application for admission, immunization record, official transcript(s) from high school or previous college/college, the results of admissions tests, copies of official correspondence concerning the admission status, copies of written requests made by the student to make changes to their record. All practices and policies dealing with the acquisition, retention and disclosure of information to student records are formulated with respect to the student's right to privacy. No record is kept which will detrimentally discriminate by race, creed, gender or political belief of a student.

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. A student who is 18 years or older or attends a post-secondary institution has the following rights:

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 written requests that identify the record(s) they wish to inspect. The Registrar 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 Records Office, the Registrar shall advise the student of the correct official to whom the request should be addressed. Contact the Registrar at the Jean Anderson Morgan (JAM) Student Activity Center, 131 College Circle, Swainsboro, GA 30401. Phone contact number (478) 289-2109.

2. The right to request the amendment of the student's education records that the student believes to be inaccurate or misleading, or in violation of their right to privacy.

Students may ask the College to amend a record they believe is inaccurate or misleading, or in violation of their privacy rights. Requests should be directed to the Registrar, clearly identify the part of the record the student wants changed, and specify why it is inaccurate or misleading. FERPA was not intended to provide a process to question substantive judgments which are correctly recorded. The rights of challenge are not intended to allow students to contest, for example, a grade in a course because they felt a higher grade should have been assigned.

If after the review of the requested amendment to the student record, the college elects not to make the requested change, the student or parent may request a hearing to challenge the content of the student's education records on the grounds that the information contained in the records is inaccurate, misleading, or in violation of the privacy rights of the student. Students and parents must direct requests for hearing to Vice President for Student Affairs, Gambrell Building, 131 College Circle, Swainsboro, GA 30401; (478) 289-2015.

If the Vice President for Student Affairs decides to amend, the record will be amended and the parent or student will be informed of the amendment in writing. If the Vice President for Student Affairs decides to deny the

request for amendment, the student or parent will be informed in writing of this decision and of their right to place a statement in the record commenting on the contested information in the record and/or stating why he or she disagrees with the decision of the college. Any such contested statement will be maintained as part of the student's permanent record and disclosed as part of the student's permanent record.

3. The right to provide written consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Written consent to disclosure must be provided by the student using the FERPA form: http://www.ega.edu/offices/student_affairs/registrar_office/forms_registrar_office Personally identifiable information includes the student's name, name of the student's parent or other family members, the address of the student or the student's family, a personal identifier such as the student's social security number, student number or biometric record, other indirect modifiers such as mother's maiden name, student's date and place of birth, and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student, or information requested by a person who the institution reasonably believes knows the identity of the student to whom the education record relates. Information is made available to other persons only with expressed written permission of the student or under an applicable exception.

Conditions Where Student Consent Not Required Prior to Disclosure – FERPA permits the disclosure of personally identifiable information from student's educational records without consent if the disclosure is:

1. To school officials with legitimate educational interests - A school official is defined as faculty, administrative and classified staff, administrators, trustees, students serving on official college committees or assisting another college official in performing his or her duties, and third parties with whom the college has contracted such as attorneys, auditors, or collection agents. A school official has a legitimate educational interest in a student's records if the official is performing:
 - A task specified in his or her position description or contract;
 - A task related to the student's education;
 - A task related to the discipline of the student;
 - A service or benefit relating to the student or student's family, such as financial aid, healthcare, counseling, job placement;
 - A task or tasks necessary to maintain the safety or security of the campus.
2. Directory information *unless* the student has requested in writing that all or a portion of those items designated as directory information *not* be disclosed. This request must be made using the FERPA form http://www.ega.edu/offices/student_affairs/registrar_office/forms_registrar_office Directory information will be treated as public information and will generally be available on all current and former students at the discretion of the institution. This includes the following: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports programs, age, hometown, hobbies and general interest items of members of athletic teams, dates of attendance, degrees, honors and awards applied for and/or received, and previous educational institutions attended by that student.
3. To officials from another educational institution where the student seeks or intends to enroll or is already enrolled if the disclosure relates to purposes of enrollment or transfer.
4. To authorized representatives of the US Comptroller General, Secretary of Education, the US Attorney General or to state and local education authorities 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 related to those programs.

5. In connection with financial aid the student has applied for or received if the disclosure is for the purpose of determining eligibility, amount or conditions of aid, or to enforce the terms and conditions of the aid.
6. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
7. To accrediting agencies to carry out accrediting functions.
8. To comply with a lawfully issued subpoena or court order. The institution must make a reasonable effort to inform the student in advance of compliance unless the subpoena or court order expressly states that providing prior notice would compromise the confidentiality of an investigation or other legal proceeding. Counsel acting on behalf of a college may provide education records to a court without a subpoena or court order when the college has initiated legal action against a parent or student. In such case, the college must provide prior notice to the student or parent.
9. To appropriate officials in connection with a health or safety emergency involving the student. The emergency must pose a significant and articulable threat to the health or safety of a student or other individuals. Disclosure may be made to *only* those persons whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.
10. To the public: the final results of a disciplinary hearing against a student who is an alleged perpetrator of a violent crime or non-forcible sex offense *if* the institution finds that the student committed a violation of the institution's rules or policies. The name of the student, violation committed, sanction imposed, and name(s) of other student(s) involved, but only with prior consent of such other student(s). To the victim: the final results of the disciplinary hearing with respect to the alleged offense.
11. To parents, as defined in § 99.3, of an eligible dependent student, as defined in section 152 of the Internal Revenue Code of 1986.
12. To the parents of a student regarding the student's violation of federal, state or local law or rule or policy of the college governing the use or possession of alcohol or controlled substances may be made to the parent or guardian if the student is under age 21 and the college has determined the student committed a disciplinary violation.
13. If the disclosure concerns sex offenders and other individuals required to register their status.

Students May File a Complaint Alleging FERPA Violation

Students alleging violations to student record privacy or access to records may contact the Registrar at 478-289-2109 or file a complaint through the EGSC Compliance and Ethics Hotline at: <https://ega.alertline.com/gcs/welcome>

Students also have the right to file a complaint with the US Department of Education at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520