

2021-2022 ANNUAL FERPA NOTIFICATION

Notice of Student Rights with Respect to Education Records (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords you certain rights with respect to your education records. These rights include:

1) *The right to inspect and review your education records (with certain limited exceptions) within 45 days of the day LCAD receives your request for access.* You should submit any such request to the Registrar's Office in writing, identifying the records you wish to inspect. The Registrar's Office will make arrangements for access and notify you of the time and place where the records may be inspected. Records that are customarily open for student inspection will be accessible without written request.

2) *The right to request the amendment of your education records if you believe them to be inaccurate.* You should submit any such request to the Registrar's Office in writing, clearly identifying the records that you want to have amended and specifying the reasons you believe them to be inaccurate.

The Registrar's Office will notify you of its decision and, if the decision is negative, of your right to a hearing regarding your request for amendment. Additional information regarding the hearing procedures will be provided to you at that time.

3) *The right to consent to disclosures of personally identifiable information contained in your education records, except to the extent that FERPA authorizes disclosure without consent.*

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of 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, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, within LCAD 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, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))*
- 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, subject to the requirements of §99.34. (§99.31(a)(2))*
- 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*

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supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, 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 of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- 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. (§99.31(a)(4))
- 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. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, 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. (§99.31(a)(14))
- 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 21. (§99.31(a)(15))

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Another such exception permits LCAD to disclose your “directory information” consisting of the following:

1. Student Name
2. Address (campus, mailing, permanent, e-mail)
3. Telephone Numbers
4. Photograph
5. Major Field of Study
6. Enrollment Status (e.g. Undergraduate or graduate; freshman, sophomore, junior or senior, etc)
7. Dates of Attendance
8. Number of Units in which Enrolled
9. Anticipated degree and degree date
10. Degrees and Honors Received
11. Previous Educational Institution Attended

Students who wish to have their directory information withheld must notify the Registrar’s Office in writing. (Please note that such a notification will prevent LCAD from providing your directory information to your friends, prospective employers, arts organizations, and others with whom you may wish us to share such information, so make your decision carefully.) You may give such notification at any time, but it will be effective from that point forward. You may also sign a student release for prospective employers, organizations, etc. on a case-by-case basis, which authorizes LCAD to release your information, accordingly.

Upon request, LCAD also discloses education records without consent to officials of another school in which a student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.

4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by LCAD 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.