

The Family Education Rights and Privacy Act of 1974 (FERPA)

The Family Education Rights and Privacy Act of 1974 protects the privacy of students' educational records. The statute governs access to records maintained by educational institutions and the release of educational information. The Institute is in compliance with the Family Educational Rights and Privacy Act of 1974.

The statute provides students access to their permanent files and an opportunity for a hearing to challenge the records if they are inaccurate or otherwise inappropriate. Permission must be obtained from a student before releasing personally identifiable data from the records.

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.

Directory Information

Mitchell Tech acts in accordance with the Family Educational Rights and Privacy Act (FERPA) guidelines as set forth by the Department of Education. FERPA allows Mitchell Tech to release "Directory Information" to third parties without student consent.

No information other than directory information shall be released without permission from the student. Permission is valid for the current academic year. Student release forms must be electronically submitted annually. Parents/legal guardians showing proof that the student is listed as a dependent on the family's most recent tax return may have access to the student records. At no time shall any information other than directory information be released over the telephone because the caller's identification cannot be determined. (Policy Mitchell Tech 1061)

The Institute provides students with the opportunity to request nondisclosure of information. Students who wish to request nondisclosure of directory information must contact the Registrar's Office to complete a Privacy-Nondisclosure Request Form.

Although directory information is public, Mitchell Tech personnel are encouraged to use professional discretion in the release of this information. Mass information requests of directory information for solicitation purposes will not be granted.

- Information classified as directory information includes:
- Student's name, address, phone, email
- Major field(s) of study
- Dates of enrollment
- Degree and awards received
- Participation in officially recognized activities and sports
- Information which denotes accomplishments or achievements
- Individual or group photographs

Exceptions to the Basic Policy

No one other than Mitchell Tech personnel shall have access to, nor will the school disclose, any information from the student's educational records (other than Directory Information noted previously) without the written consent of the student except as follows:

1. Providers of financial aid
2. Accrediting agencies carrying out accreditation functions
3. A judicial order
4. An emergency situation as determined by the President, Vice-Presidents, Registrar, or designee
5. As of January 3, 2012, the U.S. Department of Education's FERPA regulations expanded the circumstances under which student education records and personally identifiable information (PII) contained in such records — including Social Security Numbers, grades, or other private information — may be accessed without the student's 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 student records and PII without student 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 student education records and PII without student consent to researchers performing certain types of

studies. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive students' 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 student consent PII from education records and they may track students' participation in education and other programs by linking such PII to other personal information about students 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.

Student Access to Records

Students wishing to receive a copy of their educational records must make a request to the Registrar's office. There are fees for copies of educational records. A one-week turnaround is necessary in most cases.

All students wishing to review a copy of their educational records must present valid identification.