

## **FERPA (Family Educational Rights and Privacy Act)**

FERPA is the Family Educational Rights and Privacy Act of 1974, a 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. One purpose of FERPA is to protect the privacy of information concerning individual students by placing restrictions on the disclosure of information contained in an individual student's educational record. FERPA provides students with respect to their educational records. This means that access to your information is limited to yourself and authorized individuals.

In compliance with FERPA, CPU releases no personally identifiable information (PII) of students without the express written consent of the student. Exceptions to this practice are information defined as

“Directory Information,” including student’s name; dates of attendance; enrollment status and curriculum; academic honors; and degrees, diplomas or certificates awarded. Student addresses and phone numbers are released per request to the U.S. Military.

Students who wish to block this “Directory Information” may do so by written request to the CPU Office during the first two weeks of initial enrollment. CPU discloses educational records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests.

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. §99.32 of FERPA regulations requires the institution to record all disclosure 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. Eligible students have a right to inspect and review the record of disclosures. The institution may disclose PII from the education records without obtaining prior written consent of the student.

### **Notification of Rights under FERPA**

FERPA affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.)

#### **These rights include:**

1. The right to inspect and review the student's education records within 45 days of requesting access. A student should submit a written request identifying the record they wish to inspect to the registrar, dean, head of the academic department, or other appropriate official. The school 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 school official to whom the request was submitted, the official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request an amendment of the student's education records for information that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the school to amend a record should write [the school official responsible for the record], clearly identify the part of the record the student wants changed, and specify why it should be changed.

If School decides not to amend the record as requested, School will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses PII from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The School discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official typically includes a person employed by the School in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the School who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the [School].

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by CPU to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue,  
SW Washington, DC 20202

**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 [School] 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)(3) 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 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))

### **How Does FERPA Impact Financial Aid?**

FERPA prohibits the Office of Financial Aid from sharing information about a student’s application to anyone other than the student. Even if the student is considered independent and provided information from their parents, CPU cannot share this information with them without prior consent from the student.

### **How Can I Authorize Individuals to Inquire About My Financial Aid?**

You can authorize individuals by signing a release form. (Please see the attachment). Completion of the form indicates that you consent to the staff in the Office of Financial Aid at CPU reviewing and discussing any information contained in your educational records related to or impacting your ability to receive financial aid with the authorized individual.