

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

Under the “Family Educational Rights and Privacy Act (FERPA) of 1974 as amended, “ACHE accords all rights to students. No one outside the institution (other than those exceptions permitted under FERPA) shall have access to, nor will the institution disclose any information from, a student’s education records without the written consent of the student. Students wishing to give a third-party access to their academic and/or financial records must complete the disclosure and release form located in the Registrar’s Office or on the ACHE web site. This disclosure and release will remain in effect until rescinded by the student.

The right to inspect and review education records within 45 days of the day ACHE receives a request for access. Students may request to inspect records by submitting a request in writing to the Registrar’s office. ACHE and its divisions must provide access to the records for review within 45 days of receipt of the request. ACHE is not required to provide access to records of applicants for admission who are denied acceptance or who, if accepted, do not attend.

The right to request amendment of education records that students believe to be inaccurate or misleading. Students may challenge information in their educational records that they believe to be incorrect, inaccurate, or inappropriate. This challenge must be made in writing and submitted to the appropriate records custodian within one year of the term of the records in question. The appropriate records custodian must decide within a reasonable period of time as to whether corrective action is warranted and must provide written notification to the student and the Dean of the respective divisions (colleges) of ACHE of any corrective action that has been approved to be made. Students who are not provided full resolution sought by their challenge will be referred to the Assistant/Associate Dean of Student Affairs, who will inform them of their right to a formal hearing. All requests for a formal hearing must be made in writing to the Assistant/Associate Dean of Student Affairs who shall be the initial arbiter of all such hearings. Any decision that is rendered adversely to the student may be appealed to the Dean of the respective divisions (colleges) of ACHE. The Dean’s decision shall be the final decision.

The right to provide written consent before ACHE discloses personally identifiable information contained in education records, except to the extent that FERPA authorizes disclosure without consent. ACHE may disclose, without consent, “directory information.” ACHE defines the following as directory information:

- Name
- Address
- Telephone number
- Dates of Attendance
- Enrollment Status
- Degrees, Honors and Awards Received (including dates)
- Officially Recognized Activities
- Photographs
- Educational Institutions Attended
- E-mail Address
- Date of Birth

- Program of Study

Students have the right to request that the school refrain from disclosing some or all directory information and can do so by notifying the Registrar's Office in writing. Forms for this purpose are available in the Registrar's Office. Students who request that their directory information not be released should understand that this will prevent ACHE from printing their name in certain publications (i.e. commencement program) or disclosing directory information requested by third parties including spouses and parents. In the event a refusal is not filed, ACHE assumes that a student does not object to the release of the directory information designated. Request for non-disclosure will be honored by ACHE for only one academic year; therefore, authorization to withhold directory information must be filed annually.

The following exceptions permit disclosure without consent:

- School officials with legitimate educational interest\*
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to students
- Organizations conducting certain studies for, or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies

\* "School officials with legitimate educational interest" are those officials who are performing a task specified in his/her position description or by a contract agreement, performing a task related to a student's education, or performing a task related to the discipline of a student. ACHE has determined that the following school officials have legitimate education interests: counselors, instructors, preceptors, contractors, administrators, board of trustees, professional and clerical staff who directly relate to the administrative tasks of ACHE, ACHE security officials, ACHE attorneys, and students who serve on certain ACHE committees.

**The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Arkansas Colleges of Health Education to comply with the requirements of FERPA.**

Complaints regarding FERPA may be made with the following agency:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920  
Phone: 1-800-USA-LEARN (1-800-872-5327)