

St. Joseph School of Nursing
Nashua, New Hampshire

Family Educational Rights and Privacy Act Policy (FERPA)

- A. FERPA is the Family Educational Rights and Privacy Act that protects the privacy of students' educational records by requiring a written consent from the student before disclosing any personally identifiable information to a third party. In addition, it gives students the right to inspect and review their own educational records. FERPA applies to the education records of students who are or have been in attendance at SJSON. FERPA does not apply to the records of students who are denied acceptance or have been admitted but never enrolled. Under FERPA students have the right to:

1. **Inspect and review education records:**

Within a reasonable time, not to exceed 45 days (§99.10) when SJSON receives a request for access, a student will be given access to inspect and review their education records. Student should submit a written request to the Dean that identifies the record(s) they wish to inspect, for example: grades, statement of account or financial aid. The school official will make arrangements for access. The will be notified via email of the time and place where the records can be inspected. Note: The law does not require the school to provide the student with copies of the records.

2. **Student rights also include:**

Consent to the disclosure of personally identifiable information (PII) from education records except as specified by law (§99.20). These rights transfer to the student when they turn 18 years of age or enter a postsecondary educational institution at any age ("eligible student").

3. **Types, locations, and custodians of education records:**

Admissions Coordinator / Bursar	Admission records, billing, payment plan
Registrar:	Grades, enrollment verification, loan deferments
Financial Aid Office:	Financial aid, VA beneficiaries records, immigration and non-citizen records.
Associate Dean	Students with disabilities, SONIS student portal

4. **Request amendment of education records believed to be inaccurate or misleading:**

A student who believes that their educational record is inaccurate or misleading, or in violation of the privacy rights of the student, and in need of correction should write to the school official responsible for the record (see list above), clearly identifying the part of the record they want corrected stating the reason they believe the record is incorrect or misleading. If the school decides the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall:

- (1) Amend the record accordingly.
- (2) Inform the parent or eligible student of the amendment in writing

5. **If the school decides not to amend the record as requested by the student, the school official will notify** the parent or eligible student of the decision and advise the student of their right to a hearing regarding the request for the amendment. If the eligible student or parent requests a hearing, the following procedure will be followed.

6. **Hearing Procedure:**

- (1) St. Joseph School of Nursing must hold a hearing within a reasonable time after it has received a request from the parent or eligible student challenging the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.
- (2) The school shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
- (3) The hearing may be conducted by any individual, including an official of the school or St. Joseph Hospital, whom does not have a direct interest in the outcome of the hearing.
- (4) The school shall give the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised under §99.22.

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- (5) The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their own choice, including an attorney.
- (6) The school may also be assisted or represented by one or more individuals of their own choice including an attorney.
- (7) The school shall make its decision in writing within a reasonable period of time after the hearing.
- (8) The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
- (9) If the outcome of the hearing determines that the contested information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, the record will be amended, and the parent or eligible student will be notified in writing of the change.
- (10) If the outcome of the hearing is that the information in the student record will not be amended, the parent or eligible student has the right to place a statement in the record commenting on the contested information in the record or stating why they disagree with the decision of the hearing. The school must maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

7. **Consent to Disclose:**

In accordance with FERPA, records created and maintained by SJSON are considered to be educational records and maybe only released to a third party with written consent from the student. This includes spouses, parent, other relatives, and employers. Any student requesting SJSON to discuss aspects of a student records with a third party shall complete the SJSON FERPA Release Form and submit it to the Admission Coordinator's office. The FERPA release form may be completed and faxed to 603-578-5028 or mailed to: Admissions Office, St. Joseph School of Nursing, 5 Woodward Avenue, Nashua NH 03060.

8. **Directory information policy:**

SJSON may disclose personally identifiable information without the student's consent. This includes: Directory information such as a student's name, address, telephone number, date and place of birth, honors, and awards, and dates of attendance.

However, the school must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. The school must notify parents and eligible students annually of their rights under FERPA. FERPA information will appear in the current Student Catalog/Handbook available on the school's website.

9. **SJSON may disclose personally identifiable information without the student's consent to the following parties:**

- a) U.S. Department of Education
- b) U.S. Controller General
- c) U.S. Attorney General
- d) Accrediting Agencies
- e) Military recruiters (under the Solomon Amendment)
- f) State and local officials
- g) Alleged victim of a crime
- h) Parent of a dependent student as defined by the IRS
- i) Parent of student under 21 regarding the violation of a law regarding alcohol or drug abuse
- j) School officials with legitimate educational interests.
 - 1) A school official is a person employed by the school in an administrative, supervisory, academic or research, or support staff position (hospital security office and health staff)
 - 2) A person or company with whom the school has contracted (such as an attorney, auditor, consultant or collection agency)

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- 3) A student serving on an official committee, such as a student affairs or grievance committee, or assisting another school official in performing their tasks.
 - 4) A school official has a legitimate educational interest in the official needs to review an educational record in order to fulfill their professional responsibility.
 - k) SJJSON may disclose information for law enforcement purposes pursuant to any court order or lawfully issued subpoena. SJJSON will make a reasonable effort to notify the student or eligible parent who is the subject of a subpoena so that they may seek protective action.
10. **Complaints:**
The student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by SJJSON to comply with the requirements of FERPA. Complaints should be submitted to:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605
1-800-872-5327**