

Family Educational Rights and Privacy Act – 99.30

July 1, 2011

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of a student's education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Under FERPA, students attending an institution of postsecondary education may:

- A. Consent to disclosures of personally identifiable information contained in the student's education records.
- B. Choose which directory information may be disclosed.
- C. Inspect and review their education records.
- D. Seek amendment of those education records believed to be inaccurate, misleading or otherwise in violation of their privacy rights.
- E. File complaints with the Department of Education about alleged failures by the institution to comply with the requirements of FERPA.

Definitions

Student – Any person who attends or has attended AIT.

Education Records – Any records maintained by AIT which directly relates to a student. Education records may consist of, but are not limited to, the following: Admission Records, Academic Records, Financial Aid Records, Disciplinary Records, and Career Placement Records.

Directory Information – Information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. AIT has designated the following student information as directory: name, address, telephone number, date and place of birth, program of study, dates of attendance, email address, grade level, enrollment status, degrees, honors and awards received, commercial driver license, Department of Transportation physical, DD214, motor vehicle record, and most recent institution attended.

School Official - A school official has a legitimate educational interest in the official needs to review an education record in order to fulfill his or her professional responsibility.

FEDERAL STUDENT RECORDS LAW

Students must be informed at the time of enrollment of the protection afforded by the Family Educational Rights and Privacy Act of 1974. This Act, with which AIT endeavors to fully comply, was designed to protect the privacy of education records and to establish the right of students inspect and review their education records. The Act also provides guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students have the right to file complaints with the U.S.

Family Educational Rights and Privacy Act – 99.30

July 1, 2011

Department of Education Family Compliance Office concerning alleged failures by AIT to comply with the Act.

STUDENT ACCESS TO RECORDS

Access to a student's education record is guaranteed to him or her subject to the following requirements:

Inspection of Records

The student has the right to inspect and review his or her education records during normal business hours, within ten business days of the day the AIT receives a verbal request for access. Normal business hours are Monday through Thursday, 8:00 a.m. to 7:00 p.m., Friday 8:00 a.m. to 5:00 p.m., and Saturday by appointment.

The request should be made with the Director of Training, or Registrar, at the campus. The request must include the type of education record or records to be inspected. Arrangements will be made for access, and the student will be notified 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, that official shall advise the student of the correct official to whom the request should be addressed. The student may obtain copies of his or her education records upon payment of a \$2.00 reproduction fee.

Inspection will be granted only after the student has presented proper identification. No documents or files may be altered or removed once a request has been filed. When an original record is presented to the student, examination will be permitted only in the presence of an AIT employee and any other conditions deemed necessary to prevent the alteration, mutilation, or loss of original records. Upon reasonable request by the student, verbal explanations of education records will be provided except where a verbal response is not practical or appropriate. A request may be made for a written explanation.

Request for Amendment

If, upon inspection and review of his or her education records, a student believes that the record is inaccurate, misleading, or otherwise in violation of his or her privacy rights, he or she may request that the record be corrected. The student should submit a written request to the Director of AIT, requesting an amendment of the education records in question. The request should include the revision requested, and the reasons that the student has for disagreeing with the entry in question. Any supporting documentation should be attached to the request. AIT will notify the student of the decision within ten business days. If AIT decides not to amend the record, as requested by the student, AIT will advise the student of his or her right to request a hearing

Family Educational Rights and Privacy Act – 99.30

July 1, 2011

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.

Filing a Complaint

The student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by AIT to comply with the requirements of FERPA. Complaints may be directed to the following:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Ave, SW

Washington, D.C. 20202-5920

1-800-872-5327

RELEASE OF STUDENT INFORMATION

The student has the right to refuse to allow AIT to designate any or all of these types of information about the student as directory information if the student notifies AIT in writing that he or she does not want any or all of the information designated as directory information. The student must submit the notification in writing to the Director of Training, or Registrar, prior to the first day of scheduled classes for the enrollment period. AIT will disclose information from a student's education record only with the written consent of the student, except that the records may be disclosed without consent when the disclosure is:

- To school officials who have a legitimate educational interest in the records.
- A person or entity employed by or under contract to AIT to perform a special task, such as an attorney, auditor, or outside vendor.
- A person employed in a law enforcement capacity.
- A student serving on an official committee or who is assisting another school official in performing his or her tasks.
- Upon request of officials of another school at which a student seeks or intends to enroll, AIT will attempt to notify the student of the disclosure unless the student initiated the disclosure.
- Information AIT has designated as directory information, unless the student has made a written request to suppress his or her directory information.
- To school officials or lending institutions, in connection with financial aid for which the student has applied or for which the student has received.
- In connection with an emergency, to appropriate persons if the knowledge of such information is believed necessary to protect the health or safety of the student or others.

Family Educational Rights and Privacy Act – 99.30

July 1, 2011

- To comply with a judicial order.
- To an alleged victim of any crime of violence, as that term is defined in Section 16 of Title 18, United States Code.
- Subject to the conditions set forth in 34 CFR 99.35 authorized representatives of the Comptroller General of the United States, the Secretary of the U.S. Department of Education, authorized representatives of the Attorney General for law enforcement purposes, or state and local educational authorities.
- To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering tests, student aid programs and improving instruction.
- To accrediting organizations in order to carry out their accrediting functions.
- To the Department of Veteran Affairs pursuant to 38 USC 3690.