

ACCESS TO STUDENT RECORDS AND FERPA

New Jersey City University maintains academic and health records of all students enrolled in the University. Additionally, financial records, as required by federal and state regulations, are maintained on all students who receive financial assistance through the University.

For the purposes of compliance with the Family Educational Rights and Privacy Act (FERPA), the University considers all students enrolled in the University as independent.

The Family Educational Rights and Privacy Act of 1974 afford students certain rights with respect to their education records. They are:

1. The rights to inspect and review the student's education records within 30 (thirty) calendar days of the day the University receives a request for access.
Students should submit to the Dean of Students, or to other appropriate officials, written requests that identify the records(s) they wish to inspect. The University 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 University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.
Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want to change, and specify why it is inaccurate or misleading. FERPA was not intended to provide a process to be used to question substantive judgments that are correctly recorded. The rights of challenge are not intended to allow students to contest, for example, a grade in a course because they felt a higher grade should have been assigned.
If the University decides not to amend the record as requested by the students, the appropriate office in the University will notify the student of the decision and advise the student of his or her 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 consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
In most cases, students must consent to the disclosure of personally identifiable information to a third party, in writing.
One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, collection agent, or official of the National Student Clearinghouse); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate

educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

The University may disclose education records in certain other circumstances:

- a. to appropriate parties to comply with a judicial order or a lawfully issued subpoena (Unless a court order has ordered that the existence of the subpoena not be disclosed, the University will attempt to inform the student of the subpoena, by letter to his/her last known address, prior to the requested documents being released.);
 - b. to appropriate parties in a health or safety emergency;
 - c. to officials of another school, upon request, in which a student seeks or intends to enroll;
 - d. to University and other appropriate officials in connection with a student's request for or receipt of financial aid, to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid;
 - e. to certain officials of the U.S. Department of Education, the Comptroller General's office, or to state and local educational authorizes, in connection with certain state or federally supported education programs;
 - f. to accrediting organizations to carry out their functions;
 - g. to organizations conducting certain studies for or on behalf of the University;
 - h. to the alleged victim of a crime of violence or a non-forcible sex offence when the crime was allegedly committed by the student; the University may disclose the results of an institutional disciplinary proceeding with respect to the crime which shall include only the name of the student, the violation committed, the sanction imposed and the name of another student, such as victim or witness, only with the consent of the student;
 - i. to the parent(s) or legal guardian the violation of any law or University rule or policy governing the use or possession of alcohol or a controlled substance if the student is under 21 years of age and the University determines that the student has committed a disciplinary violation with respect to use or possession.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.
The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC, 20202- 4605.

DIRECTORY INFORMATION

The University may disclose the following categories of student information, designated as public information: the student's name, address, telephone number, e-mail address, age, major field of study, degree sought, expected date of completion of degree requirements and graduation, degrees and awards received, dates of attendance, full or part time enrollment status, the previous educational agency or institution attended, participation in officially recognized activities and sports, weight and height of athletic team members, and other similar information and photographs.

Students may restrict the release of public information, except to school officials with legitimate educational interests. To do so, a student must make the request in writing to the Dean of Students or by completing a "Do Not Release Information Form" at the Registrar's Office. Once filed,

this request becomes a permanent part of the student's record until the student instructs the University, in writing, to have the request removed.

RECORD OF ACCESS

A record must be kept in the education record of each student that indicates the individuals or organizations, other than University personnel, which have requested or obtained access to the student's records and the legitimate education interest of the individual or organization in obtaining the information. The record of access may be released only to the student, University personnel, or state or federal officials as means of auditing the system of reporting access to student records. Subpoenas, where the court has ordered that their existence not be disclosed, will not be released except within the parameters of the court order.

Educational records or personally identifiable information in the records may be released as specified under item 3, above.