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NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS

Family Education Rights and Privacy Act of 1974

The Family Educational Rights and Privacy Act (FERPA) is a Federal law passed in 1974 that affords students certain rights with respect to their educational records. They are:

- 1) The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.

Students must submit to the Registrar an official written request that identifies the record(s) they wish to inspect. The College 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 College 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 is inaccurate or misleading.

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed and specify what is inaccurate or misleading.

If the College decides not to amend the record as requested by the student, the College 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 the FERPA authorizes disclosure without consent. Note: Disclosure of student records to parents, spouses or other family members is not implied and in fact forbidden without student consent except in cases in which the College determines that there is a legitimate health or safety emergency to the student or others on campus, or in the event of student use of alcohol or controlled substances on a Union County College campus or at a Union County College event."

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 College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, outsourced service provider, auditor or collection agent); 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.

Union County College does make limited use of outsourced contractors and consultants for various administrative recordkeeping functions.

FERPA permits a school to disclose personally identifiable information from an eligible student's education records, without consent, to another school in which the student seeks or intends to enroll. The sending school may make the disclosure if it has included in its annual notification of rights a statement that it forwards education records in such circumstances. Otherwise, the sending school must make a reasonable attempt to notify the student in advance of making the disclosure, unless the student has initiated the disclosure. The school must also provide an eligible student with a copy of the records that were released if requested by the student.

An exemption also exists for law enforcement. Student consent or disclosure by the College are not required in the event the US Attorney General or designee serves the College with an ex parte court order collecting education records relevant to an investigation or prosecution.

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Another important exception concerns the concept of "Directory Information." Information specified as "Directory Information" can be released without the consent of the student unless the student specifically requests that such information be withheld (also known as "opting out"). A student may opt out of directory information disclosure by submitting a written request to the Registrar, specifying which directory information the student wishes not to be disclosed. Such a request must come from the student and only applies to what is otherwise non-confidential directory information. Such a request is not necessary for personally identifiable information already protected as confidential under FERPA.

Directory information is defined as: name, address, telephone listing, date and place of birth, level of education, academic major, degrees received and the educational institution in which the student most recently was enrolled. Please note that Union County College does not publish a student directory.

4) The right to file a complaint with the U. S. Department of Education concerning alleged failures by Union County College 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
600 Independence Avenue, SW
Washington, D. C. 20202-4605

This document is not intended as an exhaustive representation of FERPA, nor does it explain all rights afforded students under FERPA. More FERPA information can be found online at: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

To protect students' privacy, most information about a student cannot be given out over the phone because of the difficulty in establishing identity.



If you or someone attending with you has a disability and is in need of special accommodations, please contact the Coordinator of Services for Students with Disabilities at (908) 709-7164.

Union County College does not discriminate and prohibits discrimination, as required by state and/or federal law, in all programs and activities, including employment and access to its career and technical programs.