

# Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their educational records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day the Alamo Colleges District receives a request for access.

A student should submit to the registrar, dean, head of the academic department or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The Alamo Colleges District 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 Alamo Colleges District 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 or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the Alamo Colleges District to amend a record should write to the Alamo Colleges District's official responsible for the record, clearly identify the part of the record the student wants to change, and specify why it should be changed.

If the Alamo Colleges District decides not to amend the record as requested, the Alamo Colleges District will notify the student in writing of the decision and the student's 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 provide written consent before the Alamo Colleges District discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Alamo Colleges District or 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, SW  
Washington, DC 20202-5901

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures of school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the Alamo Colleges District to record the disclosure. Eligible students have a right to inspect and review the records of disclosures. The Alamo Colleges District may disclose PII from the education records without obtaining prior written consent of the student -

- To other school officials, including teachers, within the Alamo Colleges District, whom the school has determined to have legitimate educational interests. This also includes parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a) (1)). A school official typically includes a teacher, president, chancellor, trustee, registrar, counselor, advisor, admissions officer, attorney, accountant, human resources professional, information systems specialist, or any other person employed by the Alamo Colleges District in an administrative, supervisory, academic, research, or support or clerical staff position (including law enforcement unit personnel and health staff), or a student serving on an official committee, such as a disciplinary or grievance committee, or a student volunteering to assist another school official in performing his or her tasks. An outsourced "school official" also may include a volunteer, consultant, contractor or other party outside of the Alamo Colleges District to whom the Alamo Colleges District has outsourced institutional services or functions provided that they are performing an institutional service or function for which the Alamo Colleges District would otherwise use its own employees and are under the direct control of the Alamo Colleges District with respect to the use and maintenance of personally identifying information (PII) from education records, such as a collection agent, auditor, attorney, alumni relations manager, or the National Student Clearinghouse. 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 responsibilities for the Alamo Colleges District.
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a) (2))
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the Alamo Colleges District's state-supported education programs. Disclosure under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosure of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the Alamo Colleges District, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions ((§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as “directory information” under §99.37 (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the Alamo Colleges District determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the Alamo Colleges District’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the Alamo Colleges District, governing the use or possession of alcohol or a controlled substance if the Alamo Colleges District determines the student committed a disciplinary violation and the student is under the age of 21. (§99.319(a)(15))