

Athena Career Academy Policies Governing Student Records

Student records policies are designed to ensure that Athena Career Academy (ACA) has a student record-keeping system that achieves an effective balance between the students' right to privacy and ACA's need to use the same information in carrying out its educational mission. Athena's policies governing student educational records are in full compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the Buckley Amendment. These policies assure students' rights of privacy, while providing them with access to their own records.

The Family Educational Rights and Privacy Act of 1974 (Buckley Amendment)

These policies conform to the Family Educational Rights and Privacy Act of 1974 (Buckley Amendment), referred to hereafter as FERPA, and are a declaration of existing practice.

I. Definitions

- A. In these defined policies, the term "student" refers to any person who has completed the registration process for any quarter at Athena Career Academy and for whom ACA has developed an educational record. Applications for admission are not included in the term.
- B. "Educational records" are all collections of personally identifiable information pertaining to students; these records are maintained by the college or by parties acting for the college. This includes computer files and written materials contained in a file folder in a traditional manner. As stipulated by FERPA, the following files are not considered "educational records" and, as such, are not available to students:
 - 1. Records maintained by the local Police Department
 - 2. Financial records of parents
 - 3. Employment files (i.e., applications for resident assistant and student manager positions and job-related materials)
 - 4. Records developed and maintained by faculty and staff that serve their individual record-keeping purposes and remain exclusively in their individual possession
- C. A "school official" is a person employed by Athena Career Academy in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Athena Career Academy who performs an institutional service or function for which the college would otherwise use its own employees and who is under the direct control of the college with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist 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 responsibilities for Athena Career Academy.

II. Access

The essence of these guidelines and FERPA is that all students have the right to inspect their own educational records, irrespective of age or economic dependence on parents, with the exceptions listed above. Although ACA is not required to release records maintained by the local police department, on written request by the student, information maintained in these files must be released to the appropriate professional of the student's choice.

A request to inspect an educational record should be made directly to the office holding the record. For those unable to come to the campus because of geographical location, requests by mail are honored. Copies are available to all students at the cost of reproduction. (Contact the Director of Student Services for further information.)

Parents and legal guardians have access to their dependent's records if the student is a dependent in the Internal Revenue Service definition of the term or if the student has given written consent. Thus, it is the parents' or guardians' responsibility to present evidence of dependency before a student record may be released. If such evidence is presented, the student is notified.

Student records are accessible to employees of the college whose primary job responsibilities require access to some or all of the information included in a student's educational record and to employees with a legitimate educational need to review a student's educational record.

III. Right of Challenge

A student who discovers what he or she may feel to be an inaccurate, misleading, or incomplete recording of information in the personal record may request that a change be made by the appropriate submitting office. If the request for change is denied, the student may request that the hearing be conducted within a reasonable period of time by a person who is not directly involved in the issue, appointed by the vice president for student affairs and preferably approved by the student. In controversies related to a grade, the debate is limited to accuracy and completeness, and may not entail the justification for a particular grade. Complaints concerning the conduct of the hearing or the aspects of these guidelines may be directed to:

The Family Educational Rights and Privacy Act (FERPA) Office
Department of Education
330 Independence Avenue, SW
Washington, D.C. 20201

Students who differ with the decision rendered in the hearing are entitled to include a statement explaining their dissent in their file.

IV. Waiver of Access

Students may waive their right to inspect a particular file or portion of a particular file. Individual referees may require that students waive their right to review a particular letter of reference they have been asked to write. Faculty or staff involved in advising may recommend

that students waive their right to review recommendation letters, in the belief that a waiver effectively increases the credibility and usefulness of the reference when reviewed by the admissions committee or prospective employer. The college may not, however, require that any student waive the right of access to a file or any part of the file.

Student waiver of access to letters of recommendation is generally exercised on a letter-by-letter basis. This may be done by affixing a signed, dated statement to the letter before its inclusion in a folder; or, in the case of letters included in the credential file maintained by the Director of Student Services, by signing the candidate's waiver of right of access to confidential reference letters, printed on the confidential reference form.

V. Release of Records

- A. Except with respect to directory information or as otherwise allowed by law, there shall be no oral or written release of personally identifiable information from any student educational record without the signed and dated consent of the student, except to:
1. school officials, as previously defined, who have a legitimate need to know
 2. state and federal education authorities to whom information must be made available by statute and/or for the audit of federal programs
 3. officials of another institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled to the extent that the disclosure is for purpose related to the student's enrollment or transfer
 4. organizations and educational agencies involved in testing, administering financial aid, or improving instruction, provided the information is presented anonymously
 5. accrediting agencies
 6. parents and legal guardians of students regarded as "dependent" by the IRS definition of the term, if dependency is demonstrated (access is "view only")
 7. comply with a judicial order or lawfully issued subpoena, in which case an attempt is made to notify the student in advance;
 8. parents or other appropriate persons in the case of a health or safety emergency
 9. authorized representatives of the comptroller general of the United States and the Department of Education
- B. Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Specific items regarded by the college as directory information are listed in the Registration Guide as part of an announcement informing students of their rights to exclude themselves from any or all such releases. Items currently regarded by Athena Career Academy as directory information are noted below. Students also receive an annual FERPA notification through their official Athena Career Academy email account. Students must notify the Director of Student Services in writing if they do not want their directory information to be available to the public.

Directory information:

Name

Local campus mailbox number

Campus telephone number

Home address

Email address

Home telephone number

Date of birth

Matriculation status

Class level

Current full-time or part-time status

Photographs

Dates of attendance and graduation

Major fields of student and degree

Awards and academic degrees given at Purchase

Participation in recognized college activities (e.g., election outcomes, membership in athletic teams, participation in plays and performances)

Personal information on members of college athletic teams (e.g., height, weight, high school)

Also refer to the [Solomon Amendment](#).

- C. Information may be released in an anonymous manner or in a way that does not infringe on any individual's right to privacy for research and for purposes of research or to protect the health or welfare of certain groups.
- D. Information regarding alcohol or drug use or possession may be released to parents or guardians of students under the age of 21. The guidelines regarding such release are published in the annual Student Handbook under "Alcohol or Drug Use/Possession Disclosure Policy."

VI. Expunging

Student records should be free of extraneous data that no longer serve the purpose(s) for which they were gathered. Therefore, systematic attempts should be made to expunge extraneous materials in student records. Another recommended means is to purge files on an ad hoc basis in the review given each file before the student inspects it. Judgments concerning the relevance of materials should be made by the person who is responsible for the particular file.

VII. Annual Notices

- A. Students are informed annually through their Athena Career Academy email account of the rights provided to them by FERPA. This information is also published in the Student Handbook to inform students of their rights and responsibilities. This information is provided to each student entering Athena Career Academy.

- B. The Director of Student Services is responsible for establishing these guidelines and monitoring their implementation. Questions, concerns, and suggestions should be directed to the Director of Student Services (419) 471-1150..

VIII. List of Education Records and the Officials Responsible for the Records

- **Academic Records:** Program Director(s), Director of admissions, and faculty
- **Student Services Records:** Program Director(s) and Director of Student Services
- **Financial Record:** Director of Financial Aid

Educational records available for inspection **do not** include:

1. Financial records of the student's parents or guardians
2. Records of instructional, administrative, and educational personnel which are kept in the sole possession of the maker, and are not accessible or revealed to any other individual except a temporary substitute for the maker
3. Records of law enforcement units
4. Employment records related exclusively to an individual's employment capacity
5. Medical and psychological records
6. Thesis or research papers
7. Records that only contain information about an individual after the individual is no longer a student at the institution.

Students must **not** be allowed access to:

1. Education records that contain information on more than one student (the student may review only the specific information about himself or herself)
2. Financial records of the student's parents

IX. Student consumer information requirement

In compliance with both federal and state law, ACA makes available to students or prospective students information about instructional programs, costs of attending the institution, financial assistance available to students, the refund policy, qualifications of faculty members, graduation rates, and placement of grades. The Director of Student Services and Director of Financial Aid are available to assist students or prospective students in obtaining information specified in the Regulations of the Commissioner of Education, Chapter 2, Sections 53.1–3.4.

The Solomon Amendment 10 U.S.C. § 983

The 1996 Solomon Amendment provides for the U.S. Secretary of Defense to deny federal funding to institutions of higher learning if they prohibit or prevent ROTC or military recruitment on campus. Directory information that must be released to the military as it is presently defined under the Solomon Amendment:

1. Student's name and address
2. Telephone listing
3. Date and place of birth
4. Class level (freshman, sophomore, etc.)
5. Academic major
6. Degrees received
7. The educational institution in which the student was most recently enrolled