

# FERPA (Family Education Rights and Privacy Act)

Also seen on the OCCC website at [Student Records and FERPA](#).

## Notification of Rights under FERPA for Oregon Coast Community College (OCCC) Students

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education 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 Oregon Coast Community College receives a request for access. A student should submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask OCCC to amend a record should write the OCCC Registrar, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If OCCC decides not to amend the record as requested, OCCC 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 OCCC discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without

OCCC discloses education records without a student’s prior written consent under the FERPA exception for disclosure to College officials with legitimate educational interests. A College official typically includes a person employed by OCCC 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 College official also may include a volunteer or contractor outside of OCCC 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 PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another College official in performing his or her tasks. A College official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for OCCC.

Upon request, the College also discloses education records to officials of another school or college in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the OCCC to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue  
SW Washington, DC 20202

The Family and Educational Right to Privacy Act (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 to College 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 institution to maintain a record of the disclosure. Eligible students have a right to inspect and review the record of disclosures.

In accordance and compliance with these FERPA provisions for higher education institutions, Oregon Coast Community College discloses PII from education records without obtaining prior written consent of the student:

- To other College officials, including faculty, within OCCC whom the College has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the College may have outsourced institutional services or functions, provided that the FERPA conditions listed are met. [i]
- To officials of another school or College 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 FERPA requirements. [ii]
- To authorized representatives of the 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 university's State-supported education programs. Disclosures under this provision may be made, subject to the FERPA requirements, 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 disclosures 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. [iii]
- 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. [iv]
- To organizations conducting studies for, or on behalf of, the College, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. [v]
- To accrediting organizations to carry out their accrediting functions. [vi]
- To parents of an eligible student if the student is a dependent for IRS tax purposes. [vii]
- To comply with a judicial order or lawfully issued subpoena. [viii]
- To appropriate officials in connection with a health or safety emergency, subject to FERPA provisions. [ix]
- Information the College has designated as “**directory information**” under FERPA provisions. [x]
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the FERPA requirements. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. [xi]
- To the general public, the final results of a disciplinary proceeding, subject to the FERPA requirements, if the College 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 College's rules or policies with respect to the allegation made against him or her. [xii]
- 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 College, governing the use or possession of alcohol or a controlled substance if the College determines the student committed a disciplinary violation and the student is under the age of 21. [xiii]

#### References:

The provisions of the Family Educational Rights and Privacy Act (FERPA) are published at the following link: <https://www2.ed.gov/policy/gen/reg/ferpa/index.html> and contained with the US Code of Federal Regulations Title 34 CFR, Part 99.

- [i] (Title 34, Part 99.31(a)(1))
- [ii] (Title 34, Part 99.31(a)(2))
- [iii] (Title 34, Part 99.31(a)(3) and 99.35)
- [iv] (Title 34, Part 99.31(a)(4))
- [v] (Title 34, Part 99.31(a)(6))
- [vi] (Title 34, Part 99.31(a)(7))
- [vii] (Title 34, Part 99.31(a)(9))
- [viii] (Title 34, Part 99.31(a)(9))
- [ix] (Title 34, Part 99.31(a)(10))
- [x] (Title 34, Part 99.37, and 99.31(a)(11))
- [xi] (Title 34, Part 99.31(a)(13))
- [xii] (Title 34, Part 99.31(a)(14))
- [xiii] (Title 34, Part 99.31(a)(15))