

Family Educational Rights and Privacy Act (FERPA)

High Plains Technology Center maintains an educational record for each student who is or has been enrolled at the technology center in Student Services. In accordance with the Family Educational Rights and Privacy Act of 1974, as amended, the following student rights are covered by the Act and afforded to all eligible students at High Plains Technology Center.

All rights and protections given to parents under FERPA and this policy transfer to the student when he or she reaches age 18 or enrolls in a postsecondary school. The student then becomes an "eligible student."

Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that affords parents of minor students and "eligible students" over 18 years of age certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days from the day the technology center receives a request for access.

Parents of minor students or eligible students must submit a written request to the counselor or Director of Student Activities or appropriate technology center official that identifies the record(s) they wish to inspect. This administrator will make arrangements for access to the education records and will notify the parent of a minor student or eligible student of the time and place where these records may be inspected.

2. The right to request correction of the student's education records that the parent of a minor student or eligible student believes inaccurate, misleading or otherwise in violation of the student's privacy rights.

Parents of minor students or eligible students may ask the technology center to amend a record they believe is inaccurate, misleading or otherwise in violation of the student's privacy rights. They must submit a written request to the Counselor or Director of Student Activities or appropriate technology center official, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading or otherwise in violation of the student's privacy rights.

If the technology center decides not make changes in the record as requested, the technology center must notify the minor student's parent or eligible student of the decision and advise them of their right to a hearing regarding the request for correction. Additional information about hearing procedures will be provided to the minor student's parent or eligible student at the time of this notification.

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 (34 CFR § 99.31).

Technology center officials with legitimate educational interests are permitted disclosure without consent. An official is a person employed by the technology center as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel; a person serving on the board of education; a person or company with whom the technology center has contracted to perform a special task, such as an attorney, auditor, medical consultant or therapist; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another official in performing his or her tasks.

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

Upon request, the technology center will disclose education records without consent to officials of another technology center in which a student seeks or intends to enroll.

Technology centers may disclose, without consent, “directory” information; however, the technology center must inform parents and eligible students about directory information, allowing them a reasonable amount of time to request that the technology center not disclose directory information about that student.

Technology centers must notify parents of minor students and eligible students annually of their rights under FERPA by means of a special letter, bulletin, student handbook and/or other means left to the discretion of each technology center.

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

**Family Policy Compliance Office
U.S. Department of Education 400
Maryland Avenue, SW
Washington, D.C. 20202-5901**

Directory Information Notice

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the technology center, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your or your minor child’s education records. However, the technology center may disclose appropriately designated “directory information” without written consent, unless you have advised the technology center to the contrary in accordance with technology center procedures. The primary purpose of directory information is to allow the technology center to include this type of information from education records in certain school publications. Examples include:

- Recognition lists
- Graduation programs
- Press releases

Two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their minor child’s information disclosed without their prior written consent. Directory information will not be released to outside organizations for commercial or non-commercial purposes.

If you do not want the technology center to disclose directory information from your or your minor child’s education records without your prior written consent, you must notify the superintendent in writing. The technology center has designated the following information as "directory information," and it will disclose that information without prior written consent:

1. The student's name
2. The student's address
3. The student's telephone listing
4. The student's date and place of birth
5. The student's dates of attendance
6. The student's grade level (i.e., 11th grade, 12th grade, etc.)
7. The student's degrees, honors and awards received
8. The most recent educational agency or institution attended
9. The student's photograph
10. The student's electronic mail address

This information is presented as a summary and is intended to serve as a guideline for students and parents. Any questions concerning the student's rights and responsibilities under the Family Educational Rights and Privacy Act should be referred to the Student Services office. Copies of the complete Family Educational Rights and Privacy Act policy are available upon request and can be obtained in the Student Services, Financial Aid Office, and Counselor’s Office and on our website at <https://hptc.edu/student-information/financial-aid>