



## The Family Educational Rights and Privacy Act (FERPA) Policy

Victory Career College protects the privacy and confidentiality of all student records. The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records that prohibits an institution from releasing the school records or any other information about the student to any third-party without written consent of the student, with the exception of an education regulatory agencies. The law applies to educational institutions to which funds have been made available under an applicable program of the U.S. Department of Education.

The Family Educational Rights and Privacy Act (FERPA) bestows “eligible students” certain rights with respect to their educational records. An “eligible student” under FERPA is defined as a student who has reached the age of eighteen (18) 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 forty-five (45) days after the day Victory Career College receives a request for access. A student should submit to the registrar, financial aid office, admissions office, or student services 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. If the records are not maintained by the school 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.  
A student who wishes to ask Victory Career College to amend a record should write to the School's Director, clearly identify the part of the record the student wants changed and specify why it should be changed. If Victory Career College decides not to amend the record as requested, Victory Career College 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 Victory Career College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.  
Victory Career College discloses education records, without a student's prior written consent, under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is typically includes a person employed by the school 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 Victory Career College who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of 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 typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities to Victory Career College.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Victory Career 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  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520  
e-mail: [FERPA.Complaints@ed.gov](mailto:FERPA.Complaints@ed.gov)**

The list below of the disclosures that postsecondary institutions may make without consent.

FERPA permits the disclosure of students' education records, without consent of the student, if the disclosure meets certain conditions. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within Victory Career College whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed within FERPA regulation are met.
- 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.
- Information the school identifies as "directory information" may be released at the school's discretion. The School has defined "directory information" as the student's name, address, phone number, e-mail address, birth date, enrollment status/grade level, date of graduation, degrees and honors received, photos, major field of study, dates of attendance, most recent institution attended, and student identification. If a student does not want his or her "directory information" to be released to third parties without the student's consent, the student must present



such a request in writing to the School within forty-five (45) days of the student's enrollment date.

- 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 university's State-supported education programs. Disclosures under this provision may be made 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 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.
- 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.
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the student is a dependent for IRS tax purposes.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding, if the school 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 school's rules or policies with respect to the allegation made against him or her.
- 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 school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of twenty-one (21).



## HIPPA & FERPA

- FERPA does not limit what records a school may obtain, create, or maintain. It provides safeguards for education records.
- Victory Career College normally obtains and maintains health records for each student who applies for services or waivers. So, the receipt and maintenance of health records by student's services' units is well established. If a health record is used to make a decision in regard to a student's education program, (e.g., whether a student should receive extended time for testing; or be exempt from an academic requirement, such as SAP) the health record may be construed to be an education record. In that case the normal FERPA provisions for safeguarding the record would apply.

## HEALTH and SAFETY EXEMPTION REQUIREMENT

- A health and safety exemption permits the disclosure of personally identifiable information from a student's record in case of an immediate threat to the health or safety of students or other individuals.
- The School follows the provisions outlined in the regulations as follows:
  - The school only discloses personally identifiable information from an education record to appropriate parties in connection with an emergency *if* knowledge of the information is necessary to protect the health or safety of the student or other individuals.

## PATRIOT ACT CHANGES TO FERPA:

In response to the terrorist attacks on the United States that took place on September 11, 2001, Congress made changes to FERPA. Section 507 of the USA Patriot Act amended FERPA, which now contains 16 exceptions to the general rules. Public Law 107-56; DCL April 12, 2002

I understand the FERPA policy presented here in full and I received a copy.

Student Name: \_\_\_\_\_

Student Signature: \_\_\_\_\_

Date: \_\_\_\_\_

School Administration/instructor Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Victory Career College

**Request to Disclose Information 34 CFR 99.31**

Except under one of the special conditions described in 34 CFR 99.31, a student must provide a signed and dated written consent before an education agency or school may disclose personally identifiable information (PII) from the student’s education records.

The following data/information/records may be disclosed:

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For the purpose of:\_\_\_\_\_

To the following parties:\_\_\_\_\_

- I understand that if I (or my parent/s if eligible) request a copy of my records the documents will be provided to me (them).

Student Name:\_\_\_\_\_

Student Signature:\_\_\_\_\_

Date:\_\_\_\_\_

School Administration Name:\_\_\_\_\_

Signature:\_\_\_\_\_

Date:\_\_\_\_\_

Additional Comments:\_\_\_\_\_

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- Attached notes/paperwork to this document.