



Family Rights and Privacy Act of 1974

On June 17, 1974, the Federal Register published the official regulations of the Family Educational Rights and Privacy Act (known as “FERPA” or “The Buckley Amendment”) that expands students’ rights in respect to their educational records. In sum, FERPA provides students the right to review their educational records and request amendment thereof, and provides that institutions such as the College should not release education records or personally identifiable information contained therein, except as allowed by FERPA.

The following student records policy is intended to be consistent with FERPA, and should be interpreted as such, and it not intended to create rights or remedies broader than those created by FERPA. Student’s rights under FERPA and this policy include:

1. *A student in attendance at Southern Vermont College shall, upon written application, be able to view his/her educational record at the Office of the Registrar within 45 days of the date of the request.*
 - a. At Southern Vermont College, the repository for student academic records is the Registrar’s Office. Official student records are identified as a student’s cumulative academic records kept on file in the Registrar’s Office. Conduct records are kept in the Dean of Students Office. Not included are “desk drawer” records kept by an individual faculty member or administrator. Also, nothing in this policy is intended to waive privileges to which the College is otherwise entitled by law.
 - b. The right to request the amendment of the student’s educational records that the student believes is inaccurate, misleading or otherwise in violation of the rights of privacy or other rights of students.
 - c. The request for a hearing should be directed to the Registrar for academic concerns or the Dean of Students for conduct concerns. Students should start the process by written request to the Provost or Dean, which should clearly identify the part of the record they want changed, and specify why they believe it is inaccurate or misleading. If the College decides not to amend the record as requested, the College will notify the student of the decision and advise him/her of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of such decisions.
2. *The right to consent to disclosures of personally identifiable information contained in the student’s educational records, except to the extent that FERPA authorizes disclosure without consent.*
 - a. FERPA provides several exceptions that authorize disclosure without consent. If students have questions regarding the treatment of specific information in a specific circumstance, they should contact the Registrar or Dean of Students. Examples of circumstances where FERPA does not require a release authorization include, but are not limited to, the following:
 1. Disclosure to College personnel with legitimate educational interests in the information. Such personnel include, for example, individuals employed by the College in an administrative, supervisory, academic, research, or support staff position (including security personnel and health services staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); and students serving on official College committees, or assisting College personnel in performing their jobs. Such individuals have a legitimate educational interest in information from student education records where s/he has a need to review an education record or to learn such information in order to fulfill his/her professional responsibility or job duties;
 2. a parent or guardian of a student in attendance at Southern Vermont College who claims a student as a dependent on his/her Federal Income Tax Form shall, upon proper presentation of the dependency condition, be afforded the same rights as set forth in paragraph 1.
 3. disclosure pursuant to a valid subpoena or judicial order, but only after a reasonable attempt is made to notify the student or the parent of the existence of the order or subpoena and been given an opportunity to respond to same, unless the subpoena clearly states that the student is not to be notified

4. disclosure to parents or guardians of dependent or independent students who are under the age of 21 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 that the student has committed a disciplinary violation with respect to such use or possession;
 5. disclosure in a health or safety emergency, as determined by the College, or
 6. other circumstances in which FERPA authorizes release without authorization.
3. *The right to refuse to permit the designation of any or all of the following categories of personally identifiable information as directory information.*

Unless the student informs the Registrar in writing, before the second week of the Fall semester, of the categories of personally-identifiable information which they would like not to be treated as directory information, the following will be treated as directory information and disclosed to third parties without consent:

- name, home address;
- state of residence;
- age, and date and place of birth;
- sex;
- major field of study, department, or program in which the student is enrolled;
- classification as a first-year student, sophomore, junior, or senior;
- class schedule and class roster;
- participation in officially-recognized activities and sports;
- height and weight of members of athletic teams;
- dates or attendance and graduation, and degrees received;
- the most recent educational institution previously attended;
- honors and awards received, including selection of a provost list or honorary organization, and the grade point average of students selected; and
- photographic, video, or electronic images of students taken and maintained by the College.

If you choose to remove yourself from directory information, please sign below and return to Southern Vermont College, 982 Mansion Drive, Bennington, VT 05201-6002 ~ Attn: Dean of Students Office

**Remember if you are a student athlete, signing off on this will be in contradiction with the NCAA Waiver (listing your name, height, weight, hometown, etc.)*

STUDENT NAME (please print)

Student Signature

Date

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

Family Policy Compliance Office
 U.S. Department of Education
 600 Independence Avenue SW
 Washington, DC 20202-4605