

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

Under federal law, students have certain rights with respect to examination of their educational records. The Family Educational Rights and Privacy Act of 1974 (FERPA) requires colleges to inform students of rights guaranteed under this Act.

General Provisions

FERPA protects from disclosure to third parties certain records containing personally identifiable information about an individual student. FERPA also grants students the right to examine certain files, records, or documents maintained by the college that contain such information. Colleges must permit students to examine their “educational records” within 45 days after submission of a written request, and provide copies of such records upon payment by the student of the cost of reproduction.

TBI students may request that the college amend their educational records on the grounds that these records are inaccurate, misleading, or in violation of the student’s right to privacy. In the event that the college does not comply with a student’s request after the student has complied with Taylor Business Institute’s complaint procedures, the student is entitled to a full hearing. Requests for such a hearing should be directed in writing to the Office of the President.

Notification of Rights under FERPA for Postsecondary Institutions

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

- 1) The right to inspect and review the student's education records within 45 days of the day Taylor Business Institute receives a request for access.

A student should submit to the registrar, dean of academic affairs, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. An official from Taylor Business Institute 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 College 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 are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask Taylor Business Institute to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If Taylor Business Institute decides not to amend the record as requested, Taylor Business Institute 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 Taylor Business Institute discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Taylor Business Institute 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 a person employed by Taylor Business Institute in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom Taylor Business Institute has contracted as its agent to provide a service instead of using Taylor Business Institute employees or officials (such as an attorney, auditor, or collection agent); a

person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting 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 Taylor Business Institute.

Upon request, Taylor Business Institute also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. Taylor Business Institute will forward records on request.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the 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, DC 20202-5901

[NOTE: In addition, an institution may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

Educational Records

A student's educational records consist of all files, records, or documents maintained by TBI that contain information directly related to the student, including student academic files, placement files, and financial aid files. The only persons other than the student who are allowed access to such records without the student's consent are individuals who have a legitimate administrative or educational interest in their content, or as required by law.

Exemptions

The following items are exempt from provisions of the Act that guarantee student access, and need not be disclosed to the student under FERPA:

- Parents' Confidential Statement, Financial Need Analysis Report, and the PELL Grant A.D. Report.
- Confidential letters of recommendation received by the college prior to January 1, 1975. As to such letters received after 1974, the Act permits students to waive their right of access if the letters are related to admissions, employment, or honors.
- Records of students produced by instructors or administrators which are maintained by and accessible only to the instructors or administrators.
- School security records.
- Employment records of college employees who are not currently students.
- Records compiled or maintained by physicians, psychiatrists, psychologists, or other recognized professionals or paraprofessionals acting or assisting in such capacities, for treatment purposes, and which are available only to persons providing the treatment.

Directory Information

FERPA also provides that certain information, known as "directory information," may be released unconditionally, without a student's consent, unless the student has specifically requested that the information not be released.

Directory information includes a student's: name, address(es), telephone number(s), date and place of birth, course of study, extracurricular activities, degrees and awards received, last school attended, post-graduation employer(s), job title(s) in post-graduation job(s), academic honors, and dates of attendance.

Students who do not wish to have directory information released by the college may make this preference known when responding to the **Directory Information - Memorandum of Agreement** at the time of enrollment.

Access Without Student Consent

The college may release educational records to the following parties without the prior written consent of the student:

- Other schools where a student has applied for admission. In this case, the student must be advised that the records are being sent and that he or she is entitled to receive a copy and is given an opportunity to review and challenge the records.
- Authorized representatives of the Department of Education or the Comptroller General of the United States.
- State and local authorities where required.
- Accrediting agencies.
- Parents of students who list them as their dependents for purposes of the Internal Revenue Code. However, the college is not required to release such records.
- Appropriate persons or agencies in connection with student applications for, or receipt of, financial aid.
- Courts ordering compliance with a court order or subpoena provided that the student is notified prior to compliance.
- Appropriate persons or agencies in the event of a health or safety emergency, where such release without consent is necessary under the circumstances.

In all other cases, the college shall obtain the written consent of the student prior to releasing educational records to any person or organization.

[TBI FERPA Authorization Disclosure Form](#)