FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (commonly referred to as “FERPA” or the “Buckley Amendment”), helps protect the privacy of student records. The Act provides for the right to inspect and review education records, the right to seek to amend those records and to limit disclosure of information from the records. The Act applies to all institutions that are the recipients of federal funding.

In accordance with FERPA, Kettering University has policies and procedures in place to protect the privacy of education records. Students will be notified of their FERPA rights annually by publication in the Undergraduate and Graduate Catalogs and by an annual email message to students at the beginning of the academic year.

Disclosure of Education Records

Kettering University will disclose information from a student's education record only with the written consent of the student, except:

1. To school officials who have a legitimate educational interest in the records.
   A school official is:
   - A person employed by the university in an administrative, supervisory, academic, research, or support staff position (including Campus Safety and Wellness Center staff);
   - A person elected to the Board of Trustees;
   - A student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official in performing his or her task;
   - A volunteer or person employed by or under contract to the university to perform a special task, such as legal counsel or an auditor;
   - Agencies conducting business on behalf of Kettering University (i.e. National Student Clearinghouse, officials of the U.S. Department of Education and state and local educational authorities, accrediting organizations and banks).

   Educational Need to Know:
   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 Kettering University.
2. To officials of another school, upon request, in which a student seeks or intends to enroll.
3. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
4. To organizations conducting certain studies for or on behalf of the university.
5. To comply with a judicial order or a lawfully issued subpoena.
6. To appropriate parties in a health or safety emergency.
7. When the request is for directory information (see below).

Directory Information

Institutions may disclose information on a student without violating FERPA through what is known as "directory information." Kettering University designates the following categories of student information as public or "Directory Information." Such information may be disclosed by the institution at its discretion.

- Corporate affiliation
- Degrees awarded, including dates (actual and expected)
- Dates of attendance
- Degree program (major field of study, concentrations and minors)
- Degrees and honors awarded (including Dean’s List)
- Enrollment Status (including full or part-time)
- Honor Societies
- Photo
- Previous institutions attended
- Class standing (freshman, sophomore, junior, senior, graduate student)
- Name, address and phone number
- E-mail address

Solomon Amendment

Federal law requires that all institutions of higher learning provide directory information to the military upon request, including student name, address, telephone number, age or year of birth, academic major and level of education (e.g. freshman, sophomore, etc. or degree awarded). Where there is a conflict between the Family Educational Rights and Privacy Act of 1974 (FERPA), the Solomon Amendment would supersede FERPA.

Annual Notification to Students of Rights Under FERPA

FERPA affords students certain rights with respect to their education records. They include:

1. **Inspect and Review of Records**
   The right to inspect and review the student's education records within 45 days after the day the University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University 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 University 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. **Amendment of Records**
   The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise violate the student's privacy rights under FERPA. Students should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify the student of the decision and advise the student of his or 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 the right to a hearing.
3. **Consent to Disclosure**
   The right to provide written consent before the university discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The school 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 Kettering University in an administrative, supervisory, academic, research, or support staff position (including Campus Safety and Wellness Center staff); a person serving on the board of trustees; a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her task; a volunteer or person employed by or under contract to the university to perform a special task, such as legal counsel or an auditor; agencies conducting business on behalf of Kettering University (i.e. National Student Clearinghouse, accrediting organizations and banks).
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 Kettering University.

4. **FERPA Complaints**
   The right to file a complaint with the U.S. Department of Education concerning alleged failures by Kettering University 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

For more information on the Family Educational Rights and Privacy Act, visit the Office of the Registrar Website, under FERPA.