

1.1 Student Rights

Notice of Student Rights. The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, entitles students to certain rights with respect to their education records. Students' rights include the following:

1. The right to inspect and review their education records (see section 1.3 *Education Records* for definition) within 45 days of the day that the Mexican American Catholic College (MACC) receives a request for access from the student.
2. The right to request the amendment of the education records that the student believes to be inaccurate or misleading. Students should write to the MACC school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it is inaccurate or misleading. If MACC decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his/her right to appeal regarding the request for amendment.
3. The right to consent to disclosures of *Personally Identifiable Information* contained in the student's education record, except to the extent that FERPA authorized disclosures without consent. A list of exceptions is available from the Registrar.
4. The right to file a complaint with the US Department of Education concerning alleged failures by MACC 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

FERPA permits disclosure without consent to a MACC school official with a legitimate educational interest. A MACC school official is:

1. A person employed by MACC in an administrative, supervisory, academic or research, or support staff position, including but not limited to health, athletic, or medical staff;
 2. A person elected to the Board of Trustees;
 3. A person employed by or under contract with MACC to perform a special task, such as an attorney or auditor, or other outside contractor hired to perform a specific function for the institution;
 4. A person who is employed by MACC for campus safety and security purposes; and/or
 5. A student performing work study for MACC, serving on an official committee such as a disciplinary or judicial committee, or assisting another school official in performing his or her tasks.
- A MACC school official has a legitimate educational interest if the official is:
 1. Performing a task related to a student's education that is specified in his or her position description or contract agreement;
 2. Performing a task related to the discipline of a student;
 3. Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid; and/or
 4. Maintaining the safety and security of the campus.

Directory Information. Upon request, MACC may disclose directory information without consent to officials of another school in which a student seeks or intends to enroll, as well as to institutions where the student has already enrolled. Students have the right to request that MACC withhold the disclosure of directory information, which is defined as that information that would not generally be considered harmful or an invasion of privacy if disclosed. MACC has designated the following as directory information: name, address, email address, telephone/cell number, photograph, date of birth, major/minor area of study, date(s) of attendance, classification, degree(s), most recent transfer institution, enrollment status, and class standing.

Directory information may be released without the student's prior written consent unless the student has requested the directory information be withheld. Please consider the effect nondisclosure may have on future employment and verification of enrollment. Insurance companies frequently request verification of a student's enrollment from the Registrar. Prospective employers may request verification of graduation. Additionally, withholding directory information means that MACC cannot indicate any of the student's awards or honors without specific written permission. This includes listing the student's name and degree in the graduation program. A request to prevent disclosure will remain in effect until changed by the student.

FERPA student rights as discussed in this section become effective once students attends their first class at MACC. Please direct any questions regarding your FERPA rights to the Registrar at registrar@maccsa.org.

1.2 Custodian(s) of Education Records

Registrar: Permanent education record.

Academic Dean: Temporary academic record, which may include advising, academic counseling, academic disciplinary records, or other academic-related documents required during the student's academic career at MACC. These temporary records contain both education records and sole possession records as defined in section 1.3 *Education Records*.

Finance: Billing records.

Student Services and Housing: Health, housing, and other student services-related records.

1.3 Education Records

Education records are those records that are directly related to a student and maintained by the institution or by a party acting for the institution. The Registrar's Office retains a minimum of the following documents in a student's permanent education record: approval letter(s), application form(s), transfer transcripts(s), undergraduate and graduate admission test score(s) (if applicable), degree plan, and any other document(s) pertaining to the student's academic career at MACC. The term *education record* does not include the following types of records:

1. Records of institutional, supervisory, administrative, and certain educational personnel that are in the sole possession of the maker and are not accessible or revealed to any other individual except a substitute who performs on a temporary basis (as defined in the institutional personnel policy) the duties of the individual who made the records.
2. Records maintained by a law enforcement unit of the education agency or institution that were created by the law enforcement unit for the purpose of law enforcement.
3. Records relating to individuals who are employed by the institution that are made and maintained in the normal course of business, relate exclusively to individuals in their capacities as employees, and are not available for use for any other purpose.
4. Records relating to a student (see the definition of an eligible student) that are (a) created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; (b) used solely in connection with the provision of treatment to the student; and (c) not disclosed to anyone other than individuals providing such treatment, so long as the records can be personally reviewed by a physician or other appropriate professional of the student's choice. Appropriateness may be determined by the institution. Treatment in this context does not include remedial educational activities or activities that are part of the program of instruction at the institution.
5. Records of institutions that contain only information relating to a person after that person is no longer a student at the institution (e.g., information gathered on the accomplishments of alumni).

A *student* is an individual admitted and enrolled in classes for whom MACC maintains the education record. The term excludes an individual who has never attended the institution. An individual who is or has been enrolled in one component unit (such as a semester or term) of an institution and who applies for admission to a second unit has no right to inspect the records accumulated by the second unit until enrolled therein. At MACC, students are enrolled when they (a) have an accepted record, (b) registered for one or more courses of academic instruction to be given at the college (including any off-campus locations operating under an academic agreement with the college as part of a college-approved program of study), and (c) attended the course(s) for which they have registered. p2/2