

Policy 1003: Confidentiality of Records under FERPA

Policy Statement:

It is GMC policy that no educational records, medical records, banking records, insurance records, disciplinary records, and any other record that has been accorded confidentiality by law or regulations will be released without specific and appropriate authorization as provided for by law or regulation.

Georgia Military College complies with federal and state confidentiality regulations and laws regarding the privacy of student records.

Educational Record Defined:

For the purposes of this policy “educational record” includes but is not limited to: academic records, disability records, medical records, disciplinary records, and financial records generated and maintained as part of the educational career of the individual.

FERPA:

Georgia Military College, in compliance with the Family Educational Rights and Privacy Act (FERPA) of 1974 which is designed to protect the student's rights with regard to educational records maintained by the institution. Under this Act, an eligible student (a student who is 18 years of age) or parent whose child is under the age of 18 has the following rights:

- 1. The right to inspect and review the student’s educational record within 45 days of the day the University receives a request for access.**

Students should submit to the registrar, dean, and head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where 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 or misleading.**

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the College 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 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. The right to consent to disclosures of personally identifiable information (PII) contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College 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 the College has contacted (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 educational record in order to fulfill his or her professional responsibility.

Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

FERPA requires an institution to make a reasonable attempt to notify the student of the record request unless the institution states in its annual notification that it intends to forward records on request.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Georgia Military 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
600 Independence Avenue, SW
Washington, DC 20202-4605

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student to the following:

- School officials with legitimate education interests;

- U.S. Comptroller General, U.S. Attorney General, U.S. Department of Education;
- State and local officials;
- Authorized organizations conducting educational research;
- Accrediting agencies;
- Alleged victim of a crime;
- Parent of a Dependent Student as defined by the IRS;
- Parent of a student under 21 regarding the violation of a law regarding alcohol or drug abuse.

Protected Information:

Only when given permission by the student or required by law may the following information be given out or posted where others may see:

- Social security number.
- Citizenship.
- Gender.
- Ethnicity.
- Religious preference.
- Grades.
- GPA.

Directory Information:

The following information is designated as Directory Information and may disclose the information without prior written consent of the student unless the student formally requests in writing that the information not be disclosed or the information is protected under Georgia's Open Records Act:

- Student's name.
- Address and telephone number.
- Date and place of birth.
- Major field of study.
- Student status.
- Participation in officially recognized activities and sports.
- Weight and height of members of athletic teams.
- Dates of attendance.
- Degrees and awards received.
- Most recent previous school attended.
- Photograph.

Parents/Guardians of Dual Enrollment Students:

Generally, rights under FERPA transfer to students attending a postsecondary institution. When a student is enrolled in both high school and a postsecondary institution through a dual enrollment

program, the two schools may exchange information. If a student is under the age of 18, parents retain the rights under FERPA at the high school and may inspect and review any records sent by the postsecondary institution to the high school.

Deceased Student Records:

Records of deceased students are not protected by FERPA and are a matter of institutional policy. Within the first year following the death of a student, GMC will release educational records only under the following circumstances:

- The student has submitted prior written authorization to release records to the party requesting the records.
- The request comes from the Executor/Executrix of the student's estate, spouse, legal guardian, or parent.
- In response to a legal subpoena.

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