

Family Education Rights & Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights concerning the student's education records. These rights are:

- 1. The right to inspect and review the student's education records within 45 days after the day Georgia Military College (GMC) receives an access request.**

Parents or eligible students who wish to inspect their child's or their education records should submit a written request to the appropriate Campus Director that identifies the records they want to review. The school official will make access arrangements and notify the parent or eligible student of the time and place the documents may be inspected.

- 2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.**

Parents or eligible students who wish to ask GMC to amend their child's or their education record should write the school Registrar, clearly identify the part of the record they want to be changed, and specify why it should be changed. If the school decides not to amend the record as requested, the school will notify the parent or eligible student of the decision and their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- 3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except 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 GMC 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 GMC has contracted (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 their tasks.

A school official has a legitimate educational interest if they need to review an educational record to fulfill their professional responsibility.

GMC may disclose education records without consent to officials of another school where a student seeks or intends to enroll.

- 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 are:**

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

FERPA permits the disclosure of PII from students' education records without the student's consent 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 student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within [School] whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may disclose PII to outside entities designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the school to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials concerning a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as “directory information” under § 99.37. (§ 99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§ 99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law or of any rule or policy of the school governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

GMC designates the following as directory information: 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 and photography. GMC may disclose any of those items without prior written consent unless the student formally requests in writing that the information not be disclosed.