



CONFIDENTIALITY OF STUDENT RECORDS

FERPA- Student Notification of Rights

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. In addition to this Student Handbook, complete information about student rights under this Act is explained in the Massachusetts Bay Community College Catalog. These rights are as follows:

INSPECTION AND REVIEW

Students have the right to inspect and review their educational records within 45 days from the date MassBay receives a request. To review your records, submit a written request indicating the record(s) you wish to inspect to the Registrar, Office of Student Development, or other appropriate MassBay official. The College official will make arrangements for access and notify you of the time and place where the records may be inspected. If the College official does not maintain the records as you requested, the official will let you know the correct person you should contact to submit your request.

CHALLENGE OF RECORDS

Students have the right to request an amendment of their education records that they believe are inaccurate or misleading. To do so, write the MassBay official responsible for the record, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If MassBay decides not to amend the record as you requested, the College will notify you of the decision and explain your right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the students when notified of the right to a hearing.

RECORD DISCLOSURE

Students have the right to deny disclosure of personally identifiable information contained in their education records, except to the extent that FERPA authorizes disclosure without consent. The law allows MassBay to disclose a student's education records, without his/her consent, to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College 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 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 a professional responsibility. In addition, MassBay, upon request, discloses education records without consent to officials of another school in which a student seeks or intends to enroll.



RIGHT OF COMPLAINT

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Massachusetts Bay Community College to comply with the requirements of FERPA. Your written complaint should be submitted to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.

DIRECTORY INFORMATION

Directory information, which includes your Name, Mailing and Permanent Address, Electronic Mail Address, Telephone Numbers, Date and Place of Birth, Awards, including Dean's List, Full/Part-time status, Major/Program of Study, Semesters of Attendance, Whether or Not Currently Enrolled, Date of Actual or Expected Graduation, Degree/Certificate Attained, participation in officially recognized activities and sports sponsored by the College, weight and height of athletic team members, and photograph. may be released by MassBay to a third-party requesting such information. If you do not want this information released, you can deny permission by notifying MassBay's Registrar.

Notwithstanding MassBay Community College's definition of directory information, the Department of Defense (the "DOD"), pursuant to the Omnibus Appropriations Act of 1997 (the "Soloman Amendment), identifies the following information as "student recruiting information": NAME, ADDRESS, TELEPHONE LISTING, AGE (or year of birth), PLACE OF BIRTH, LEVEL OF EDUCATION (e.g., freshman, sophomore), DEGREE AWARDED, MOST RECENT EDUCATIONAL INSTITUTION ATTENDED, and CURRENT MAJOR(S).

If MassBay Community College receives a request for student recruiting information from the DOD, or one of its affiliated agencies, the College will release the student recruiting information requested. Because the information sought by the DOD may include information not designated as directory information under the College's policy, compliance with the DOD's request may result in the release of personally identifiable information. When student recruiting information is released pursuant to a DOD request, notice of the request and the release of the information will be posted in a conspicuous location at the College's Registrar's Office for a period equaling one academic year.

If a student has exercised his/her right to request that no information be designated as directory information, then no information shall be released to any third party, including the DOD.