

# Queens University of Charlotte

## Family Educational Rights and Privacy Act Notice

Pursuant to the Family Educational Rights and Privacy Act (FERPA), Queens University of Charlotte has created policies pertaining to privacy and the disclosure of student education records. Students have three primary rights under FERPA. They have the right to:

1. Inspect and review their educational records.
2. Have some control over the disclosure of information from their educational records.
3. Seek to amend incorrect educational records.

### **DEFINITIONS**

Student—Any individual who is attending or has attended Queens University of Charlotte.

Educational Records—Records that are directly related to a student and maintained by the University or by a party acting on behalf of the institution. These records do not include:

1. Records that are kept in the sole possession of the maker, area used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker.
2. Records of the law enforcement of the University.
3. Records made 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.
4. Records created or received by the University after an individual is no longer a student or is no longer in attendance.
5. Grades on peer-graded papers before they are collected and recorded by the teacher.
6. Records relating to an individual who is employed by the University and relate exclusively to that individual's capacity as an employee.

School Official—Members of Queens who act in the student's educational interest within the limitations of their "need to know." These members include faculty, administration, staff, and other persons who manage student educational records. It may also include contractors, volunteers, and others performing institutional functions. Students who are serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks, are also considered school officials.

A school official has a legitimate educational interest if the official is:

1. Performing a task that is specified in his or her position or contract.
2. Performing a task related to a student's education.
3. Performing a task related to the discipline of a student.
4. Providing a service or benefit relating to the student or student's family such as health care, counseling, job placement or financial aid.
5. Maintaining the safety and security of the campus.

### **ANNUAL NOTIFICATION**

Queens University of Charlotte is required to annually notify students of their FERPA rights. Students can find the entire policy on the Queens website.

### **DIRECTORY INFORMATION**

Queens designates the following information as Directory Information: student's name; local and permanent addresses; email address; telephone numbers; class; major field of study; dates of attendance (including graduation);

enrollment status (e.g. undergraduate or graduate; full-time or part-time); degrees, honors, and awards received; participation in officially recognized activities, student organizations, and sports; weight and height of student athletes; photographic, video and electronic images of students taken and maintain by the University

Queens may disclose any of these items without prior written consent. If you wish to restrict your directory information from disclosure you must complete the Non-Disclosure of Directory Information (NDDI) form. The form is available in the Registrar’s Office, Jernigan 101.

Please be aware that submitting the NDDI form means that your directory information will be withheld from a variety of third parties, including but not limited to: friends, relatives (including parents), honor societies, employers (current and prospective) and the media without your expressed written consent. You will be advised of the consequences of this decision before filing the form. Once filed, the Disclosure of Directory Information form is valid until you, in writing, rescind the restriction.

**DISCLOSURE OF EDUCATIONAL RECORDS**

Queens University of Charlotte will disclose information from a student’s educational records only with the written consent of the student. Records may be disclosed without consent when disclosure is:

1. To University officials who have a legitimate educational interest in the records.
2. To authorized representatives of federal, state or local educational authorities.
3. The disclosure is in connection with financial aid for which the student has applied or the student has received.
4. To organizations conducting studies for or on behalf of the University.
5. To accrediting organizations.
6. To comply with a judicial order or lawfully issued subpoena, including *ex parte* orders under the USA Patriot Act. Queens University of Charlotte will make every effort to notify the student prior to compliance with any subpoena.
7. In connection with a health or safety emergency.
8. Information designated as directory information.
9. To the student.
10. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense.
11. In connection with a disciplinary proceeding at the University.
12. To a parent of a student under the age of 21 concerning the student’s violation of any law or policy including, but not limited to, the use or possession of alcohol or a controlled substance.
13. The disclosure concerns sex offenders and other individuals required to register under state and federal law.

**RECORD OF REQUESTS FOR DISCLOSURE**

Queens University of Charlotte will maintain a record of all requests for and/or disclosures of information from a student’s education record.

**TYPES, LOCATIONS AND CUSTODIANS OF EDUCATIONAL RECORDS**

<b>RECORD TYPE</b>	<b>LOCATION</b>	<b>CUSTODIAN</b>
Admission records	Registrar’s Office, Jernigan Provost Office, Queens Hall	Registrar Assistant Provost Online Graduate Studies
Cumulative Academic Records (Current and former students)	Schools/Colleges (Graduate Only) Registrar’s Office, Jernigan	Appropriate Dean’s Office Registrar
Health Records	Health and Wellness Center	Director
Honor Code	Provost’s Office, Queens Hall	Assistant/Associate Provost
Financial Records	Student Financial Services, Jernigan	Director

Financial Aid  
Progress Records

Student Financial Services, Jernigan  
Registrar's Office, Jernigan

Director  
Registrar

Disciplinary Records  
Occasional Records

Center for Student Success  
Student Life Office  
Appropriate University Official

Associate Dean  
Dean

## **PROCEDURE TO INSPECT EDUCATIONAL RECORDS**

Students and former students have rights to inspect and review their educational records. The record's custodian or an appropriate staff person will make the needed arrangements for access as promptly as possible. Access must be given within 45 days or less from the date of receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records that relate to him or herself.

Queens University of Charlotte reserves the right to deny copies of records, including transcripts, not required to be made available by FERPA if:

1. The student lives within commuting distance of the University
2. The student has an unpaid financial obligation to the University.
3. There is an unresolved disciplinary action against the student.
4. The educational record requested is an exam or set of standardized test questions.

If the student is not within commuting distance, the student will be charged copying and postage fees.

## **LIMITATION ON RIGHT OF ACCESS**

Queens University of Charlotte reserves the right to refuse to permit a student to inspect the following records:

1. Financial information submitted by parents.
2. Confidential letters and recommendations placed in their files prior to January 1, 1975.
3. Those records which are excluded from the FERPA definition of educational records.

## **CHALLENGING STUDENT RECORDS**

Students have the right to challenge a record that they believe is inaccurate or misleading. To request a change:

1. The student must contact the appropriate record custodian to amend a record. This request must be in writing. The student should identify the part of the record believed to be in error and specify why it is believed to be inaccurate or misleading.
2. The University may comply with or deny the request. Should the University choose not to comply, the student will be notified of the decision and advise the student of his/her right to challenge the ruling.
3. Upon request, a hearing will be arranged. The student will be notified of the date, place and time of the hearing.
4. The hearing will be conducted by a hearing officer will be a neutral University official.
5. The hearing official will prepare a written decision based solely on evidence presented at the hearing. The decision will include a summary of presented evidence and the reasons for the decision.
6. The record will be amended if the decision is such and notify the student, in writing, that the record has been amended.
7. If the University decides that the challenged information is accurate, the student may be made, in writing, and submitted within 10 days of the notification. The appeal will be heard by an appeals board of three senior university officials and a decision rendered, in writing. Should the appeal be granted, the record shall be amended accordingly.

8. If the appeal is denied, the student will be notified that he/she has a right to place in the record a statement commenting on the challenged information.
9. The student's statement will be maintained as part of the student's educational records as long as the record is retained. If Queens discloses the record it will also disclose the statement.

Students have the right to file a complaint with the U.S. Department of Education if they believe one of their primary rights have been violated. The name and address of the office that administers FERPA complaints is: Family Policy Compliance Office, United States Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920.