

# FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

**1. The right to inspect and review the student's education records within 45 days of the day the university receives a request for access.**

A student should submit to the appropriate office, a completed Student Request to Inspect Educational Records form that identifies the record(s) the student wishes to inspect (this form, and all forms referenced in this document can be accessed through the Office of the Registrar's website (<https://www.biola.edu/registrar/ferpa/>)). The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by that office, the student may contact the Office of the Registrar to inquire about the correct official or department 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.**

A student who wishes to ask the university to amend a record should submit a completed Appeals Form to the Office of the Registrar clearly identifying the part of the record the student wants changed and specifying why it should be changed. If the university decides not to amend the record as requested, the university will notify the student in writing of the decision and the student's 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 provide written consent before the university discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. "Directory Information" however, is generally available to third parties unless otherwise requested by the student.**

In general, a signed consent of release is necessary for the release of any "Non-Directory Information." Some elements of personally identifiable information designated by the university as "Directory Information" are made available to third parties unless otherwise requested by the student. (See Directory Information Public Notice below for more information regarding "Directory" and "Non-Directory" information and your right as a student to request heightened confidentiality.)

The university discloses education records without a student's prior written consent under the FERPA exceptions for disclosure, such as release to school officials with a legitimate educational interest. A school official is a person employed by the university 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 university has contracted as its agent to provide a service instead of using university employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student or volunteer 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 education record in order to fulfill his or her professional responsibilities for the university. Upon request, the university also discloses education records without consent to officials of another school in which 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 the university 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

## Directory Information Public Notice (p. 1)

Under the standard protection of FERPA, a signed consent of release is necessary for the release of any "Non-Directory Information." Certain information designated as "Directory Information" may be disclosed without the consent or knowledge of the student unless the student has notified Biola in advance that such information is not to be released (see below). "Directory Information" at Biola is defined as:

- Photo
- Name
- Telephone Listing
- E-Mail Address
- Date and Place of Birth
- Major Field of Study
- Participation in Officially Recognized Activities and Sports
- Weight and Height of Members of Athletic Teams
- Student Status (e.g. Enrolled, Withdrawn, Graduated, etc.)
- Enrollment Time Status (e.g. Full Time, Half Time, etc.)
- Student Classification (e.g. Freshman, Junior, etc.)
- Dates of Attendance
- Degrees and Awards Received
- Most Recent Previous Educational Agency or Institution Attended

The purpose of establishing this definition of "Directory Information" is to notify the student of the types of personally identifiable information included in this definition of "Directory Information" and to allow the student to prevent the disclosure of this information should he or she wish to do so. The student may request that his/her "Directory Information" remain confidential and therefore be treated as "Non-Directory Information." To do so, the student must change his/her confidentiality level to Total Confidentiality. Students may request changes to their level of confidentiality in writing with the Office of the Registrar.

## Implications of Requesting Total Confidentiality to Student Records (p. 1)

Students requesting Total Confidentiality should familiarize themselves with the various implications associated with this heightened, optional level of privacy. The following are some, but not all, of such implications. All students who do not request Total Confidentiality will

be assigned Standard Confidentiality which entitles them to all of the regular protective provisions of FERPA as described in the Notification of Student Rights under the Family Educational Rights and Privacy Act (FERPA) above.

Students requesting Total Confidentiality should be aware that this will prevent the acknowledgment of their enrollment and the release of any and all “Directory Information” by the university to potentially interested third parties such as parents, spouses, children, other family members, potential employers, and the like. To authorize the release of the “Directory Information” of students with Total Confidentiality, the student must complete and submit a General Student Consent of Release of Educational Record(s) form to the Office of the Registrar as described above.

Students who have requested Total Confidentiality will also be omitted from some internal university and departmental communications. Student athletes, and other students who represent the university in an official capacity, should consult with the athletic team or supervising department concerning the relevant logistics of requesting and maintaining Total Confidentiality while serving as an official representative of the university. Students who have requested that their information remain confidential will not be listed on such things as honor lists (Dean's list, EKE, etc.), and they will not have their names printed on the graduation bulletin nor read at the commencement ceremony when they graduate unless a specific written request is submitted to the Office of the Registrar.

Alumni and former student educational records will be treated according to the last privacy level selected by the student prior to their graduation or withdrawal from the university.

The university is not responsible for the retraction or amendment of any and all student information legitimately released to a third party prior to the Student's request for Total Confidentiality. The requesting student is responsible to coordinate such desired retraction/ amendment directly with the third party recipient and/or any other third parties the information was subsequently redisclosed to.

## **Request a Change to Your Confidentiality Level (p. 2)**

Students may request changes to their level of confidentiality in writing with the Office of the Registrar.