

Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) (<https://www.apu.edu/provost/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.**
Students should submit the Request to Inspect and Review Educational Records form (<https://www.apu.edu/provost/ferpa/>), identifying the records they wish to inspect, to the appropriate registrar. 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 the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. Students may waive their right of access to recommendations and evaluations in the cases of admissions, application for employment, and nomination for awards. The university may not require students to sign a waiver of their right of access to their records, but students should be aware that recommendations and evaluations may not be very helpful or candid without a signed waiver.
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. Students may ask the university to amend a record they believe is inaccurate, misleading, or in violation of the student's privacy rights under FERPA.** They should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify why it should be changed. If the university decides not to amend the record as requested by the student, the university will notify the student in writing 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 provide written consent before the university discloses personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.** One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests.

A "school official" is

- a. a person employed by the university in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff);
- b. 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);
- c. a person serving on the Board of Trustees;
- d. a student serving on an official commitment, such as a disciplinary or grievance committee, or assisting another school official in performing his/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 responsibility whenever he or she is

- a. performing a task that is specified in his or her job description or contract agreement;
- b. performing a task related to a student's education;
- c. performing a task related to the discipline of a student;
- d. providing a service or benefit relating to the student or student's family (such as health care, counseling, job placement, or financial aid); or
- e. disclosing information in response to a judicial order or legally issued subpoena.

Another exception is that the university discloses education records without consent to officials of another school in which a student seeks enrollment or intends to enroll, upon request of officials of that other school.

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 20202-5920

This notice is not intended to fully explain students' rights under FERPA. Questions about the student records privacy policy (for undergraduate, professional undergraduate, and graduate students) may be directed to the Student Services Center at (626) 815-2020 or ssc@apu.edu.