

FERPA POLICY

WHAT IS FERPA?

The United States Congress passed the Family Educational Rights and Privacy Act (FERPA) in 1974 to afford certain rights to students concerning their education records. The primary rights afforded to students who attend a postsecondary school such as William Penn University are the right to inspect and review their education records, the right to seek to have their records amended and the right to have some control over the disclosure of information from the records.

William Penn University may not disclose information contained in education records without the student's written consent except under certain limited conditions.

FERPA PROCEDURE

These procedures, in compliance with the Family Educational Rights and Privacy Act, (FERPA) govern access to student education records and identify the procedures students may follow to obtain or restrict access to their education records.

The University Registrar is responsible for university compliance with these procedures. These procedures apply to the records of students who are both admitted and actively enrolled or who have previously attended the university on campus or via video conferences, satellite, internet, or by other electronic means. The rights are effective on the first day of each student's attendance. They do not apply to applications of persons who were not admitted or to other correspondence with the university.

EDUCATION RECORDS

These procedures apply to any education record (in handwriting, print, tapes, film, electronic or other media) maintained by WPU regardless of its date of origin which is directly related to a student. The following are NOT classified as education records under FERPA:

- Records kept by faculty, staff, administrative or auxiliary personnel for their own use as memory aids or reference tools if kept in the personal possession of the person who made them and if the record has not been made available to any other person except the maker's temporary substitute. These personal notes are to be referred to in divisional and administrative records policies as "sole possession" records. Records that contain information taken directly from a student or that are used to make decisions about the student are not sole possession records.
- An employment-related record which does NOT result from student status.
- Parents' confidential financial statements, income tax records and reports received by the university.
- Records maintained by WPU health or counseling services that are used only for treatment and made available only to those individuals providing the diagnosis and treatment. Patient access to medical or counseling records is provided upon submission of written patient authorization according to university policy.
- Alumni records which contain only information about a student after he or she is no longer attending the university and do not relate to the person as a student.

ANNUAL NOTIFICATION – THIS INFORMATION IS TIME-SENSITIVE AND CONSTITUTES AN ANNUAL NOTIFICATION TO STUDENTS.

Student education records at WPU are generally accessible to eligible students according to the provisions of the Family Educational Rights and Privacy Act (FERPA).

The following explains student rights to their education records, summarizes the procedures for exercising those rights, and describes student directory information that may be disclosed to the public without the students consent as required by law.

Eligible students, admitted and enrolled at WPU, generally have the right to:

1. Inspect and review their education records within a reasonable period of time upon submitting to the Registrar or appropriate office or division managing their education records a written request, with proof of identification, specifying the records to be inspected. The Registrar or appropriate office or division will notify the student of the time and place the records may be inspected.
2. Petition WPU to amend or correct any part of the education record believed to be inaccurate, misleading, or in violation of their privacy rights. Students may submit a written request to the office holding the record, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading. If the office decides not to amend the record as requested, the office will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding

the university hearing process may be provided to the student when notified of the right to a hearing.

3. Control the disclosure of personally identifiable information contained in the student's education record, except as otherwise authorized by law. Examples of exceptions to consent for disclosure include:
 - Access of education records by WPU officials and agents having a legitimate educational interest in the records.

This category generally includes any WPU official or agent who accesses student educational records for the purpose of performing a task or responsibility relating to his or her employment or professional responsibility at the university. These individuals may include faculty, administration, staff and other university agents who manage student education record information including, but not limited to, student education, discipline, and financial aid.
 - Parents who establish the student's dependency for federal income tax purposes.
 - Upon request, WPU will disclose education records or information without consent to officials of another college or university to which the student seeks or intends to enroll, or to a school in which the student is currently enrolled.
4. File a complaint with the U.S. Department of Education concerning failures by WPU 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, D.C. 20202-4605. www.ed.gov/offices/om/fpco/

Possible Federal and State Data Collection Use

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records – including your Social Security Number, grades, or other private information – may be accessed without your consent.

First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution.

Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities.

In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

DIRECTORY INFORMATION

WPU has designated the following student information as directory information that we may disclose to the public without the consent of the student:

- Name
- Addresses and telephone numbers
- E-mail address
- Date and birthplace
- Major field(s) of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Pictures
- Dates of attendance (current and past)
- Class standing (freshman, sophomore, etc.)
- Enrollment status (full-time, part-time, less than half-time)
- Academic honors, degrees and awards received
- Previous educational institutions attended
- Anticipated future enrollments
- Current individual student course schedule (as of the date the request is received.)

- Anticipated date of graduation
- Dates of Student Employment

Students have the right to restrict disclosure of the above directory information. To request restriction of disclosure, students must file a written request in the Registrar's Office.

Please note that although the University is permitted to release Directory Information without a student's written permission (unless the student has requested restriction of such information (see next section), we generally are not compelled to do so. In many cases we may choose to not release Directory Information when we feel such refusal may be in the best interests of the student. For instance, as standard practice, we do not release Directory Information to third parties in the form of mailing lists or labels.

Restricting Academic Records

The University determines the personal information regarding its students that can be given to the public according to the FERPA guidelines. Any William Penn University student may request restriction of the disclosure of this personally identifiable information by the following procedure:

1. Come to the Office of the Registrar in Penn Hall with a University ID card or other picture ID.
2. Request a Directory Information restriction be placed on his or her educational records.
3. Fill out and sign the written agreement provided.
4. Please note that requests must be received prior to the fall semester to avoid being published in the Student Directory.

Restrictions on education records are valid until the student has removed them or separated from the University for a period of six months, or has been verified as deceased. To remove a restriction on education records, a student should bring a University ID card or other picture and request that the restriction be removed from his or her records. Such transactions must be completed in person or in writing.

The above processes are completed through the University Registrar for the protection of students and to be in compliance with FERPA.

LOCATIONS OF STUDENT EDUCATION RECORDS

The following list describing the type, location and custodian of university student education records is illustrative and not comprehensive. Other student education records may be found in a variety of locations throughout campus. A student having questions concerning the location of education records should direct an inquiry to the Office of the Registrar.

TYPE	LOCATION	CUSTODIAN
Academic Records	PENN 217	Registrar
Admissions	PAC 203	Director of Admissions
Alumni Information	PENN 213B	Director of Alumni Relations
Business Office	PENN 223	VP for Financial Operations
Clive Campus	PENN 217	Registrar
Distance Education	PENN 316C	Director of Distance Education
Faculty Records	PENN 221	VP Academic Affairs
Financial Aid	PAC 204	Director of Financial Aid
Graduate Studies	PENN 217	Registrar
Housing	PAC 203	VP of Enrollment Management
Security	PAC 227	VP of Operations
Information Services	PENN 111	Director of Information Services
Inquiries for other records may be directed to the office of the Registrar where your request will be received or referred to the appropriate University official.	PENN 217	Registrar

PROCEDURE TO INSPECT EDUCATION RECORDS

FERPA controls access to student education records. WPU will make a reasonable effort to provide eligible students and qualifying parents the rights granted by the Act. Under circumstances that prevent alteration or mutilation of records, a student with proper identification will be permitted to inspect all education records not restricted by a pledge of confidentiality or considered to be private records of university personnel. In those instances when the university is

willing to allow copies, those with legitimate access to the records will be charged a reasonable fee for the copies.

Students are encouraged to submit to the record custodian or to appropriate university personnel a written request that identifies as precisely as possible the record the student wishes to inspect. However, oral requests may be honored upon proper presentation of identification and in circumstances where a written request would be burdensome or impractical. The record custodian or appropriate university personnel will make reasonably prompt arrangements, generally within 45 days, for access and notify the student of the time and place where the records may be inspected.

When a record contains information about more than one student, the student may inspect and review only that portion relating to the requesting student.

RIGHT OF UNIVERSITY TO REFUSE ACCESS

The following records are not available for review by students:

- The financial statements and tax returns of the student's parents.
- Letters and statements of recommendations to which the student has waived the right of access, or which were placed in the student's file before January 1, 1975.
- Records connected with an application to attend WPU or a component unit of WPU if that application was denied.
- Any records which are not education records as defined by FERPA or these procedures and which are not otherwise accessible pursuant to law.

REFUSAL TO PROVIDE COPIES

WPU reserves the right to deny transcripts or copies of education records if:

- The student has an unpaid financial obligation to the university;
- The student is in default under any federal loan program,
- There is an unresolved disciplinary action against the student;
- There is unresolved litigation between the student and the university;
- Other cases as determined by the university procedures on Registration and Academic Holds;
- Or as otherwise determined appropriate by the university.

WPU will not provide copies of those education records related to disciplinary action taken against a student, even at that student's request, unless refusal of such a request would unreasonably limit the student's right to inspect and review those records.

COPIES OF RECORDS

If for any valid reason such as distance from a student's place of residence to a record location, distance between record location sites, or health, a student cannot inspect and review his or her education record in person, WPU may arrange for the student to obtain copies. A reasonable fee for copies and any applicable postage fees will be charged. The fee for copies at the Office of the Registrar will be \$.50 per page unless otherwise specified. There is no charge for search or retrieval of education records nor for personal inspection of education records.

DISCLOSURE OF STUDENT EDUCATION RECORDS

WPU will disclose student education records to a third party with written consent from the student. This written consent must:

- Specify the records to be released,
- State the purpose of the disclosure,
- Identify the party or class of parties to whom disclosure may be made, and
- Be signed and dated by the student.

WPU will disclose student education records without the written consent of the student in the following limited circumstances:

- To school officials and to specified agents of the university who have a legitimate educational interest in the records.
 - A school official or specified agent of the university is:
 - the Board of Trustees or its agents; or
 - a person employed by the university in an administrative, supervisory, academic, research or support staff position, (including
 - security personnel and health staff); or
 - 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 Student Clearinghouse, an attorney, auditor or collection agent); (the contracted party is subject to the same conditions of use and re-disclosure of education records

- that govern other school officials); or
 - a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; or
 - a person employed by, under contract to, or designated by the university to perform a specific task.
 - A school official or specified agent has a legitimate educational interest if the official is:
 - performing a task that is specified in his or her position description or by contract agreement;
 - performing a task related to a student's education;
 - performing a task related to student discipline; or
 - performing a service or benefit relating to the student or the student's family, such as health care, counseling, job placement or financial aid.
 - To officials of another school, upon request, in which a student is enrolled or seeks or intends to enroll.
- To the Secretary of the U.S. Department of Education, the Attorney General of the United States, the Comptroller General of the United States, and state and local educational authorities, in connection with certain state or federally supported education programs.
- In situations where a student has sued the university, or the university has taken legal action against a student, as necessary for the university to proceed with legal action as a plaintiff or to defend itself.
- In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- To organizations conducting certain studies for or on behalf of the university on condition that the organizations conducting the studies not permit the personal identification of students by anyone other than the organizations' representatives. Additionally, all information provided must be destroyed by the requesting organizations when no longer needed for the study's purposes.
- To accrediting organizations to carry out their functions.
- To either parent of an eligible student if the student is claimed as a dependent for income tax purposes regardless of which parent claims the student as a dependent. Parents requesting information from a student's file shall be responsible to demonstrate that the student in question is a dependent pursuant to Section 152 of the Internal Revenue Code. In addition, WPU may disclose to parents of an eligible student information regarding violations of local, state or federal law.
- To comply with a judicial order or a lawfully issued subpoena. The university will make a reasonable attempt to notify the student in advance of disclosure when non-directory information is released in response to subpoenas or court orders.
- To appropriate parties, including parents or guardians, in a health or safety emergency.

WPU may (without the consent of the perpetrating student) disclose to the victim of a crime of violence or a sex-offense, (as defined in the Clery Act) the results of any disciplinary proceeding conducted by WPU against the alleged student perpetrator regardless of the outcome of the proceeding.

RECORD OF REQUEST FOR DISCLOSURE

Each custodian of education records at WPU will maintain a record of all requests for and disclosures of information from a student's education records file made by anyone other than a school official or the student. The record will indicate the name of the party making the request and the reason for the release. The record of the request for disclosure may be reviewed by an eligible student. Re-disclosure of education records by a third party is prohibited.

CORRECTION OF EDUCATION RECORDS

Students have the right to ask to have education records corrected that are inaccurate, misleading or maintained in violation of their privacy or other rights. In all cases of challenge to the content of a student's education records, not otherwise governed by established university policy, these procedures will apply. Under these procedures, the process must be initiated within one year from the semester or term in question. The following are the applicable procedures:

- A student must file a written request with the custodian of the applicable WPU education record to amend the record.
- The request should identify the part of the record requested to be changed and specify why the student believes it to be inaccurate, misleading or in violation of the student's privacy or other rights.
- The dean or supervisor of the university area maintaining the records shall promptly review the facts and seek to resolve the complaint by informal discussions with the student.
- If the dean or supervisor decides not to comply with the request, WPU will notify the student in writing.
- A student who disagrees with the decision has a right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights. Upon written request to the University Registrar, a hearing will be scheduled and the student will be provided reasonable advance notification of the date, place and time of the hearing. The hearing will be conducted by a University FERPA Committee consisting of three

disinterested individuals appointed from the Office of the Dean and the Office of the University Registrar or another appropriate custodian of the student education records. The student shall be afforded a meaningful opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may have one or two individuals, physically present at the hearing panel to confer with him or her. Because the hearing is not intended to be adversarial, however, such individuals will not be allowed to address the hearing panel nor advocate, unless specifically invited to do so by the Chair. The hearing panel will prepare a written decision based on the evidence presented and/or considered at the hearing. The decision will include a summary of the evidence and the reasons for the decision.

- The hearing panel will strive to ascertain the truth and to make determinations that are reasonably supported by the evidence. Note: this hearing is an administrative proceeding and no attempt shall be made to apply the formal rules of evidence applicable in judicial proceedings. In general, any evidence, whether oral testimony or documentary, which is considered by the hearing panel to be relevant should be received subject to the discretion of the hearing panel to exclude frivolous, repetitive or merely cumulative testimony.
- If the hearing panel finds that the information is not inaccurate, misleading or in violation of the student's right of privacy or other rights, the record will be maintained, but the student will be notified of the right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If WPU discloses the contested portion of the record, it will also disclose the statement. If the hearing panel decides that the information is inaccurate, misleading or in violation of the student's right of privacy or other rights, it will amend the record and notify the student, in writing, that the record has been amended.
- Generally, the university will follow the procedural guidelines as outlined above. However, the procedures set forth above are merely guidelines and are not intended to create any contractual obligations or expectations. The university reserves the right, at its reasonable discretion, to vary these procedures according to the circumstances of individual matters, provided that the student is not significantly prejudiced.

INTERPRETATION

Questions concerning the application of these procedures should be addressed to the Office of the Registrar, William Penn University, 201 Trueblood Avenue, Oskaloosa, IA 52577. The Registrar, in consultation with the WPU General Counsel, will determine all questions of interpretation.