

FAMILY EDUCATIONAL AND RIGHTS PRIVACY ACT

The Family Educational Rights and Privacy Act of 1974 (FERPA) provides enrolled students the right to inspect their "education records" (defined generally as records, files, documents, and other materials maintained by the College which contain information directly related to the student and from which students can be personally identified) and to have a right to consent to most types of disclosure of these records.

At Messiah College, education records include cumulative academic records, grades, course schedules, most student disciplinary records, and most student account and financial aid records. Education records **do not** include records of administrative or instructional personnel which are personal in nature, in the sole possession of the maker, and not accessible to any other person; records which are maintained by physicians, psychiatrists, psychologists, or other recognized professionals or paraprofessionals, and made in connection with treatment of the student; financial records of parents; or records created and maintained by the Department of Safety for the purpose of law enforcement. These records, then, may not be inspected by students.

Students who wish to inspect their education records should indicate such to the College official responsible for maintaining the particular record. FERPA requires that an appointment be made for the student to inspect the record within 45 days of the date of the request. If, upon examination, the student believes the record to be inaccurate or misleading, the student may file a written request that the College official amend the record. If the official decides not to amend the record as requested by the student, the student will be advised of his or her right to request a hearing. A hearing, to be conducted by a disinterested person appointed by the President, will be held within 30 days of receipt of a written request. The student will have a full and fair opportunity to present relevant evidence. A written decision will be rendered within two weeks of the date of the hearing.

A student's education records will be released to his or her parents **only** with the written consent of the student or upon receipt of certification that the parents have declared the student as a dependent on their most recent income tax return. Any student who does not want his or her education records released to parents must give written notification to the Registrar. This notification will remain in effect until revoked in writing by the student.

FERPA permits the College to release "directory information" without student consent to anyone requesting information unless a student instructs the College not to release such information. Directory information at Messiah College includes student's name, home address, all telephone numbers on record, campus address, high school attended, campus e-mail address, photograph (available on the College's internal, secure, inline system), dates of attendance, degree for which a student is a candidate, academic major, academic awards or honors, birth date, class year, full-time/part-time status, and weight and height for members of athletic teams. Additionally, the College may provide lists of student names by religious preference (if known) once each year in response to inquiries by local churches. The College does not release directory information to outside organizations for commercial solicitation. Any

student who does not want directory information released must give written notification to the Vice Provost/Dean of Students.

FERPA also authorizes the College to disclose personally identifiable information contained in a student's education records without a student's consent in several specific situations. Some of these are as follows: (1) to comply with a judicial order or a lawfully issued subpoena; (2) to appropriate parties, including a student's parents, in an emergency situation if knowledge of the information is necessary to protect the health or safety of the student or other individuals; (3) to officials of another institution in which the student seeks to enroll; (4) to certain federal or state agencies; (5) in connection with financial aid for which the student has applied; (6) to alleged victims of any crime of violence or a non-forcible sex offense of the final results of a disciplinary proceeding conducted by the College against the alleged perpetrator of that crime or offense, regardless of whether the College concluded a violation was committed; (7) to anyone – not just the victim – the final results of a disciplinary proceeding if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has been found to have violated the College's rules or policies; and (8) to school officials determined by the College to have a legitimate educational interest. A "school official" is a person employed by the College in a faculty, administrative or staff position; a person or firm with whom the College has contracted (e.g., physician, attorney, accountant, National Student Clearinghouse) to perform certain institutional services or functions; a member of the Board of Trustees; or a student serving on a College 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 responsibility.

FERPA provides a student the right to file a complaint concerning alleged failures by the College to comply with the requirements of FERPA with Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-4605. This policy is maintained by the Messiah College Registrar and was last amended May 15, 2008.

PARENTAL NOTIFICATION POLICY

Messiah College may elect to notify the parents/guardian of students in the event of serious health concerns such as illness, injury, or hospitalization. As noted above, the College may notify a student's parents or guardians in the event of an emergency when it is deemed to be necessary to protect the health or safety of the student or other persons.

Messiah College may also notify parents of students under the age of 21 for disciplinary violations related to alcohol or controlled substances or when a student is suspended or expelled. In disciplinary matters, parents are notified only after students are determined to be responsible for a violation of College rules or standards. In all matters, the context of individual circumstances is considered when deciding whether to contact parents. When possible, students will be given the opportunity and encouraged to discuss the situation with their parents prior to the institution's notification.