



UNIVERSAL HEALTHCARE CAREERS COLLEGE

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that is administered by the Family Policy Compliance Office (Office) in the U.S. Department of Education (Department) 20 U.S.C. § 1232g; 34 CFR Part 99. FERPA applies to all educational agencies and institutions (e.g., schools) that receive funding under any program administered by the Department. Since Universal Healthcare Careers College (UHCC) is a postsecondary school and participates in the student financial aid program, it falls under the FERPA regulations and requirements.

Once a student reaches 18 years of age or attends a postsecondary institution, he or she becomes an "eligible student," and all rights formerly given to parents under FERPA transfer to the student. The eligible student has the right to have access to his or her education records, the right to seek to have the records amended, the right to have control over the disclosure of personally identifiable information from the records (except in certain circumstances specified in the FERPA regulations, some of which are discussed below), and the right to file a complaint with the Department. The term "education records" is defined as those records that contain information directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution.

FERPA generally prohibits the improper disclosure of personally identifiable information derived from education records. Thus, information that an official obtained through personal knowledge or observation, or has heard orally from others, is not protected under FERPA. This remains applicable even if education records exist which contain that information, unless the official had an official role in making a determination that generated a protected education record.

Under FERPA, a school is not generally required to maintain particular education records or education records that contain specific information. Rather, a school is required to provide certain privacy protections for those education records that it does maintain. Also, unless there is an outstanding request by an eligible student to inspect and review education records, FERPA permits the school to destroy such records without notice to the student.

Access to Education Records

UHCC will provide an eligible student with an opportunity to inspect and review his or her education records within 45 days following its receipt of a request. UHCC may provide an eligible student with copies of education records, or make other reasonable arrangements when the student does not live within commuting distance of the school. You can have access only to records maintained as part of the UHCC education record, and UHCC is not required under FERPA to provide academic calendars, course syllabi, create data fields outside its defined education record keeping, or other general announcements since these types of information does not directly relate to any one individual student.

Amendment of Education Records

You have the right to request that inaccurate or misleading information in your education records be amended. While UHCC is not required to amend education records in accordance with an eligible student's request, UHCC is required to consider the request. If after review of your request to amend and denied, UHCC will inform you and you have the right to a hearing. If after the hearing UHCC decides to still not amend the record, you have the right to insert a statement in the record setting forth your views regarding the matter. Your statement will remain with the contested part of your record for as long as the record is maintained. Please be aware you can only challenge the inaccuracy in your record, you may not challenge a grade, an opinion, or a substantive decision made by the school.

Disclosure of Education Records

UHCC will not generally disclose personally identifiable information from an eligible student's education records to a third party unless the eligible student has provided written consent. However, there are a number of exceptions to FERPA's prohibition against nonconsensual disclosure of personally identifiable information from education records. Under these exceptions, schools are *permitted* to disclose personally identifiable information from education records without consent, but they are not *required* to do so.

FERPA allows school officials, including instructors, within a school to obtain access to personally identifiable information contained in education records provided the school has determined that they have “legitimate educational interest” in the information. UHCC defines *school official* to include professors; instructors; administrators; health staff; counselors; attorneys; clerical staff; trustees; members of committees and disciplinary boards; and a contractor, volunteer or other party to whom the school has outsourced institutional services or functions. *Legitimate educational interest* is defined as any administrative or clerical staff, faculty, government or regulatory officials, accreditors, third-party service providers needing justifiable access to such records to perform their defined tasks. Also, the school is obligated to comply when lawfully issued subpoenas or other court order.

When appropriate, UHCC may disclose personally identifiable information from an eligible student's education records, without consent, to another school in which the student seeks or intends to enroll. You may submit a request for copies of the records released to the other school.

FERPA also permits a school to disclose personally identifiable information from education records without consent when the disclosure is in connection with financial aid for which you have applied or received, if the information is necessary for such purposes as to:

1. determine the eligibility for the aid;
2. determine the amount of the aid;
3. determine the conditions for the aid;
4. and/or enforce the terms and conditions of the aid.

With respect to this exception, the term "financial aid" means payment of funds provided to an individual (or payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at a school.

UHCC may also disclose personally identifiable information from education records without consent when the disclosure is to the parents of a "dependent student" as that term is defined in Section 152 of the Internal Revenue Code. Generally, if either parent has claimed the student as a dependent on the parent's most recent year's income tax statement, the school may non-consensually disclose the eligible student's education records to both parents under this exception.

UHCC may also disclose personally identifiable information from education records, without consent, to appropriate parties, including parents of an eligible student, in connection with a health or safety emergency. Under this provision, colleges and universities may notify parents when there is a health or safety emergency involving their son or daughter, even if the parents do not claim the student as a dependent.

UHCC may also disclose personally identifiable information from education records without consent when the disclosure is to the parents of a student at a postsecondary institution regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance. The school may non-consensually disclose information under this exception if the school determines that the student has committed a disciplinary violation with respect to that use or possession and the student is under 21 years of age at the time of the disclosure to the parent.

Right to File a FERPA Complaint

You have the right to file a FERPA compliance failure complaint with the Family Policy Compliance Office of the federal Department of Education. You have 180 days to file your complaint from the date you became aware of the violation. Include as much detail as possible with relevant documentation only in your complaint. You may obtain a complaint form by calling (202) 260-3887. For administrative and privacy reasons, the Office does not discuss individual allegations and cases via email. You can mail your concerns and complaints to the address below or visit the FERPA website for more information.

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

[FERPA Website](https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html)

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