

# **Annual FERPA Notification**

**Course Catalog 2016-2017**

## **Access to Records by Students**

Student education records are protected by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, 34 C.F.R. Part 99. Students may inspect all education records directly related to them that are maintained by Kenyon within 45 days of the date the inspection request is received. A student should submit to the Registrar, Dean, head of the Academic Department, or to the official who keeps the record a written request that identifies the record(s) the student wishes to inspect. The school 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 official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be made.

Student requests for transcripts can be made online to the Registrar's office [here](#).

For purposes of this policy, "education records" do not include: records kept in the sole possession of the maker, used only as a personal memory aid, and are not revealed to any other person except a temporary substitute for the maker of the record; Title IX or other Civil Rights records where confidentiality has been requested by the complainant and no official action is taken; records of the Campus Safety Office; records created or received by Kenyon after an individual is no longer a student and that are not related to the individual's attendance as a student; confidential letters placed in files before January 1, 1975; financial records of parents; and letters of recommendation to which students have waived the right of access.

Treatment records maintained by the Health and Counseling Center and the College chaplains are also not "education records" for purposes of this policy. Students interested in accessing these records should contact the Health and Counseling Center directly.

## **Access to Student Records by Others**

Education records may generally be accessed by the student to whom which they relate and by College officials with legitimate educational interests. A College official typically includes a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff), a person serving on the board of trustees, or a student serving on an official committee such as the Student Conduct Review Board. A College official may also include a volunteer or contractor outside of the College who performs an institutional service or function for which Kenyon would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another College official in

performing his or her tasks. A College official typically has a legitimate educational interest if the official needs to review and education record in order to fulfill his or her professional responsibilities for the College.

Aside from disclosure to the student and disclosures to College officials, typically student consent is required to disclose education records. However, the College may disclose education records without consent of the student as follows:

To parties in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.

To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the College, governing the use or possession of alcohol or a controlled substance if it is determined the student committed a disciplinary violation and the student is under the age of 21.

- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer.
- To certain federal, state and local educational authorities in connect with an audit or evaluation of federal or state programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs.
- To accrediting organizations to carry out their accrediting functions.
- To comply with a judicial order or lawfully issued subpoena.
- To persons conducting educational or research studies about colleges and students, with the provision that only aggregate (not personally identifiable) data will be released.
- To appropriate officials in connection with a health or safety emergency.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of Federal regulations.
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of Federal regulations, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against the student.
- To parents of a dependent student for IRS tax purposes. More information on when Kenyon may share information under this provision can be found [here](#).

"Directory information" may be released without the consent of the student. Directory information takes two forms. Public directory information (i.e., name, class year, email address, advisor, majors, minors, concentrations, degree in progress or degree awarded, dates of attendance, date of graduation, honors and awards, high school attended, and similar information) is available to the public unless the student expressly prohibits their publication in

writing to the registrar's office. On-campus directory information (including all of the public directory information, as well as home address and campus address) is available to students and employees with Kenyon network accounts.

## **Documentation of Requests for Access to Student Records**

Kenyon maintains, as a part of the educational record of the student, a record of all requests for access (whether or not the requests were granted). This record includes: the name of the party who requested the information, the date of the request, and the legitimate interest this party had in requesting the information. Such records are not maintained when: the student personally inspects his or her records, disclosures are made at the request of the student, or disclosures are made to Kenyon employees or agents with a legitimate educational interest in the records.

## **Questions About Record Accuracy: Challenges to Content**

Students have the right to question the accuracy of their records and request interpretations of the contents of their records. The following College officers should be consulted:

Admissions: Vice President of Enrollment Management and Dean of Admissions

Accounting: Controller

Student Affairs: Dean of Students

Financial Aid: Director of Financial Aid

Registrar's Office: Registrar

Each of these officers will answer questions and interpret information in student records as appropriate.

If a student believes that education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy, the student may ask the College in writing to amend the record. The request should be given to the appropriate administrator listed above or, if the appropriate administrator cannot be identified, to the Registrar, who shall forward the request to the appropriate administrator that can address the request. The request should include information regarding the record or specific portions of a record that the student wishes to amend, the desired amendment, and the reasons for which the amendment is sought, including any evidence the student believes is relevant. The administrator to whom the request is made shall issue to the student a written decision within a reasonable time after the request is received. If the record will not be amended, the administrator shall provide the student with written notice of the right to a hearing before the president or the president's designee.

The student shall provide the president or designee with written notice of their request for a hearing within five (5) business days of receiving the decision on their request to amend the record. The president or designee shall thereafter schedule a hearing at which the student may explain their reasons for requesting the amendment and present any written evidence they may have to support the request. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

## **Enforcement of Student Rights**

Students who believe that Kenyon has violated their rights under the Family Educational Rights and Privacy Act may file a complaint with the U.S. Department of Education's Family Policy Compliance Office, 400 Maryland Avenue, SW, Washington D.C. 20202.