



Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

The law is called the Family Educational Rights and Privacy Act (also referred to as FERPA or the Buckley Amendment). It is codified at 20 U.S.C. section 1232g. The United States Department of Education has issued regulations to implement the law; see 34 CFR part 99.

The federal law may be accessed at:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

The federal regulations may be accessed at:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/leg-history.html>

Please be aware that the federal law and regulations periodically change and the Web versions may not be completely up to date.

Mount Vernon Nazarene University shall send a written notice of FERPA rights to every enrolled student at the beginning of each fall semester. The University Registrar or designee, is responsible for preparing and delivering the annual notice.

The rights are:

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 to the University Registrar's Office written requests that identify the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the University Registrar's Office does not maintain the records, the Registrar shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. The person should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.









FERPA was not intended to provide a process to be used to question substantive judgments that are correctly recorded. The rights of challenge are not intended to allow students to contest, for example, a grade in a course because they felt a higher grade should have been assigned. If the University decides not to amend the record as requested by the student, the University 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 hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of 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 person employed by the University in an administrative, supervisory, academic or research, or support staff position (including security personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, collection agent, or official of the National Student Clearinghouse); a person serving on the Board of Trustees; 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.

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.

The University may disclose education records in certain other circumstances:

-  To comply with a judicial order or a lawfully issued subpoena;
-  To appropriate parties in a health or safety emergency;
-  To officials of another school, upon request, in which a student seeks or intends to enroll;
-  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 certain officials of the U.S. Department of Education, the Comptroller General, to state and local educational authorities, in connection with certain state or federally supported education programs;
-  To accrediting organizations to carry out their functions;
-  To organizations conducting certain studies for or on behalf of the University;
-  The results of an institutional disciplinary proceeding against the alleged of a crime of violence may be released to the alleged victim of that crime with respect to that crime.

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, 20202-4605.

5. The University may disclose Directory Information without a student's prior written consent.

The University designates the following as Directory Information: The student's name, addresses, telephone number, school or college, major field of study, degree sought, expected date of completion of degree requirements and graduation, degrees and awards received, dates of attendance, full or part time enrollment status, the most previous educational agency or institution attended, class rosters, participation in officially recognized activities and sports, weight and height of athletic team members, and other similar information. It is University policy, that generally home address, home phone number, and class rosters are not released, however, the University reserves the right to release this information. Generally, the roster for a class will not be released, except to students enrolled in that class.

6. Students may restrict the release of Directory Information, except to school officials with legitimate educational interests and others as indicated in point #3 above.

To do so, a student must make the request in writing to the University Registrar, Mount Vernon Nazarene University, 800 Martinsburg Road, Mount Vernon, Ohio 43050. Once filed, this request becomes a permanent part of the student's record until the student instructs the University, in writing, to have the request removed.

Even if a student blocks directory information, those persons authorized by law to inspect education records without consent may still inspect it. See 34 CFR 99.31 and 99.37.

Any time an education record is requested by or disclosed to a third party, the person who maintains the record must add to the record a written notation of the name and interest of the party who made the request or received access to the record. Exceptions: this requirement does not apply to (1) disclosures to an MVNU official with a legitimate educational interest, (2) disclosures made with the written consent of the student, or (3) disclosures of directory information.

If a student believes his/her education record is inaccurate or misleading, the first step is to discuss the concern with the person who maintains the record. This does not apply to grade disputes (although it may be used to correct a clerical error in grades). If the record keeper does not agree with the student, the record keeper will inform the student of the right to a formal hearing.

A student must request a formal hearing within 15 University business days from the date the student is informed by the record keeper of the right to a hearing. The request must be in writing, and must be delivered to the Vice President or Dean to whom the record keeper ultimately reports.

The University official who receives the formal hearing request shall either hear the case personally or designate a person or persons to hear it, provided that those who hear the case do not have a direct interest in the outcome of the hearing. Within a reasonable period of time after the request for hearing, the student shall be informed of the date, place, and time of the hearing.

The student may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of his/her choice. The person(s) hearing the case shall decide it solely on the basis of the evidence presented at the hearing. The decision shall be in writing, delivered to all parties, and will summarize the evidence and state the reason(s) for the decision. If the decision is in favor of the student, the education records will be amended accordingly. If the decision is unsatisfactory to the student, he or she may place with the education record a statement commenting on the information in the records or setting forth any reasons for disagreement with the decision. Such statements will be maintained as part of the student's education record and released with the record anytime it is disclosed to third parties.

For purposes of compliance with FERPA, the University considers all students independent.

University Registrar's Office
Mount Vernon Nazarene University
800 Martinsburg Road
Mount Vernon, OH 43050
740-392-6868 ext. 4530