



***FAMILY EDUCATIONAL
RIGHTS AND PRIVACY ACT
(FERPA)***

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

INTRODUCTION

The following notification explains the procedures used by Pratt Institute for compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). As a student at the Institute, you are afforded certain rights with respect to your education records under FERPA. They are:

1. The right to inspect and review your education records within forty-five (45) days of the day the Institute receives a written request for access from you;
2. The right to request the amendment of your education records if you believe they are inaccurate or misleading;
3. The right to consent to disclosure of personally identifiable information contained in your education records, except to the extent that FERPA authorizes the Institute to disclose the information without your consent; and
4. The right to file a written complaint with the U.S. Department of Education concerning alleged failures by the Institute to comply with the requirements of FERPA.

HOW TO INSPECT AND REVIEW YOUR EDUCATION RECORDS:

Under FERPA, your “education records” are those records that are directly related to you and maintained by the Institute.

The following items are not considered education records: sole possession records (for example, a professor’s personal notes); records created and maintained by a law enforcement unit for a law enforcement purpose; employment records (unless you are employed as a result of your status as a student at the Institute); medical records that are maintained in connection with treatment and disclosed only to those individuals providing you with treatment; and records that only contain information about you after you are no longer a student at the Institute (for example, alumni records).

In order to inspect and review your education records, you must complete a form, titled Student Request to Inspect and Review Education Records, which is available to you in the Office of the

Registrar, Myrtle Hall, sixth floor. The Institute will comply with your request to review and inspect your education records within forty-five (45) days of the day the Institute receives the request from you.

Please note that the Institute has the right to prohibit you from reviewing and inspecting education records that include the financial records of your parents as well as those records consisting of confidential letters and statements of recommendation regarding your admission to the Institute, application for employment, or receipt of an honor or honorary recognition.

HOW TO AMEND YOUR EDUCATION RECORDS:

Under FERPA, if you believe that your education records contain information that is inaccurate, misleading, or in violation of your right to privacy, you have the right to ask the Institute to amend the records. Requests to amend your records must be made in writing directly to the Office of the Registrar, Myrtle Hall, sixth floor. The Institute shall decide whether to amend your records as requested within a reasonable time after the Institute receives your request. If the Institute is in agreement with your request to amend your education records, the records in question will be amended accordingly, and you will be informed of the amendment in writing. If the Institute decides not to amend your records as requested, you will be informed of the Institute’s decision and of your right to a hearing under FERPA.

You must make a written request for a hearing to the Institute’s Office of the Registrar. Upon receiving your request, the Institute, reasonably in advance of the hearing, shall provide you with notice of the date, time, and place of the hearing. The hearing will be conducted by the Institute’s Registrar or, if necessary, the Vice President for Student Affairs. During the hearing, you will have a full and fair opportunity to present evidence relevant to the issue you are raising and at your own expense; you may be assisted or represented by one or more individuals of your own choice, including an attorney. Within a reasonable time after the hearing, the Institute will provide you with its decision based solely on the evidence presented at the hearing and will include a summary of the evidence presented and the reasons for the Institute’s decision.

If, as a result of the hearing, the Institute decides in your favor, your records will be amended accordingly, and you will be informed of the amendment in writing. If the Institute decides against you, you will be informed of the right to place a statement in your records commenting on the contested information and stating why you agree or disagree with the Institute’s decision or both.

WHAT IS YOUR RIGHT WITH RESPECT TO PERSONALLY IDENTIFIABLE INFORMATION?

Under FERPA, the Institute will not disclose your personally identifiable information to anybody but you (or your parents, if they claim you as a dependent) unless you first provide the Institute with a signed written consent authorizing the Institute to disclose such information.

Your written consent must specify the records that may be disclosed by the Institute, state the purpose of the disclosure, and identify the individuals to whom the disclosure may be made. For purposes of FERPA, “personally identifiable information” includes, but is not limited to, the names of your parents or other family members, your address or the addresses of your family members, your telephone listing, your social security number, a list of personal characteristics that would make your identity easily traceable or other information that would make your identity easily traceable.

Please note that your consent is not needed by the Institute prior to disclosing your personally identifiable information in the following circumstances:

- Where disclosure is to Institute officials who have a legitimate educational interest in such information (includes full- and part-time Institute faculty members, administrators, individuals serving on an Institute judicial board or grievance committee and any other persons or entities authorized to act on behalf of the Institute);
- Where the disclosure is to other schools where you seek or intend to enroll;
- Where disclosure is to certain federal, state, and local authorities;
- Where disclosure is in connection with financial aid for which you have applied or which you have received;
- Where disclosure is made to organizations conducting studies for or on behalf of educational institutions;
- Where disclosure is made to accrediting organizations;
- Where disclosure is made to your parents, and you are their dependent as defined in section 152 of the Internal Revenue Code of 1986;
- Where disclosure is to comply with a judicial order or lawfully issued subpoena (and the Institute has made a reasonable effort to notify you prior to disclosure);
- Where the disclosure is made in connection with a health or safety emergency;
- Where the disclosure is information that the Institute has designated as “directory information” (see back);

- Where the information disclosed is the final result of a disciplinary hearing, and the disclosure is made to an alleged victim of a crime of violence or non-forcible sex offense; and
- Where the disclosure is to your parent(s) or guardian(s) regarding your violation of any federal, state, or local law, or Institute policy governing the use or possession of alcohol or a controlled substance. This applies when you are in violation of any Institute policy or rule regarding the use of alcohol or a controlled substance, and is applicable if you are under the age of 21 and if the Institute determines that you have committed such a violation.

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(Updated: January 8, 2009)

1. DO refer all requests for information (including subpoenas and judicial orders) from the education records of a student to the Registrar.
2. DO keep only those individual student records necessary for the fulfillment of your teaching and advising responsibilities. Private notes of a faculty or staff member concerning a student and intended for that person's own use are not part of the student's education records. However, be aware that in some cases "private" notes and records may be subpoenaed under different federal or state regulations.
3. DO change faulty information regarding grades and performance in a student's education records when the student is able to provide valid documentation that information is inaccurate. The substantive judgment of a faculty member about a student's work, expressed in grades and/or evaluations, is not within the purview of students' right to challenge their education records.
4. DO NOT display student scores or grades publicly in association with names, social security numbers, or other personal identifiers. If scores or grades are posted, use some code known only to you and the individual student. In all circumstances, DO NOT use any portion of a student's social security number.
5. DO NOT put papers, graded exam books, or lab reports containing students' names and grades in publicly accessible places. Students are not to have access to the scores and grades of others in class in ways that allow other students to be identified.
6. DO NOT request information from the Registrar without a legitimate educational interest and the appropriate authority to do so. If you are unsure whether an interest qualifies as a "legitimate educational interest," please see the Registrar or the Vice President for Student Affairs for guidance.
7. DO NOT share student educational record information including grades and grade-point averages with other faculty or staff members of the Institute unless their official responsibilities identify their "legitimate educational interest" in that information for that student.
8. WHEN IN DOUBT, err on the side of caution and do not release student educational information, including grades, grade-point averages, or letters of recommendation to parents or other persons outside of the Institute. Contact the Offices of the Registrar or the Vice President for Student Affairs for guidance.

DIRECTORY INFORMATION

Unless you request otherwise, the Institute can release your directory information to third parties. Under FERPA, "directory information" contained in your education records is not generally considered harmful or an invasion of your privacy and includes your name, date, and place of birth, major field of study, participation in officially recognized activities and sports, dates of your attendance at the Institute, and degrees and awards received. If you do not want your directory information released to third parties, you must inform the Office of the Registrar in writing. Forms for this purpose are available from the Office of the Registrar and must be filed within thirty (30) days following enrollment at the Institute.

WHAT IF YOU HAVE A COMPLAINT ABOUT THE INSTITUTE'S FERPA COMPLIANCE?

For alleged violations of FERPA by the Institute, you may file a written complaint and send it to the following address:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202-5920

1.800.872.5327

www.ed.gov/policy/gen/guid/fpco/ferpa/index.html

WHERE CAN YOU DIRECT QUESTIONS ABOUT FERPA?

If you have questions about FERPA and your rights as a student at the Institute, please contact:

Registrar

Myrtle Hall, Sixth Floor

718.636.3663

Pratt

Pratt Institute
200 Willoughby Avenue
Brooklyn, NY 11205

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