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FERPA Policy and Procedures

What is FERPA?

The Family Educational Rights and Privacy Act of 1974 (otherwise known as FERPA), as amended, applies to educational agencies and institutions that receive funding under a program administered by the U.S. Department of Education. FERPA affords students certain rights with respect to their education records. Students are notified annually of their FERPA rights on *New Age Training Student Handbook/Catalog*.

Who does FERPA protect?

Any student, regardless of age, who attends or has attended New Age Training, falls under FERPA's protection. Attendance starts the first day of class (although NEW AGE TRAINING reserves the right to deny enrollment for misconduct at any New Age Training events prior to the first day of class).

What rights do students have under FERPA?

1. The right to inspect and review education records. A student has the right to inspect and review his or her education records within 45 days of the day the Registrar's Office receives a request for access. A student should submit to the Registrar's Office a written request that identifies the record(s) the student wishes to inspect. The student is notified of the time and place where the records may be inspected. NEW AGE TRAINING is not required to provide a student access to inspect or review of financial information submitted by parents, confidential letters and statements of recommendation to which a student waived his or her right to inspect and review, education records containing information about more than one student (NEW AGE TRAINING permits access to that part of the record that pertains only to the inquiring student), and those records excluded from the FERPA definition of education records.

2. The right to request an amendment of education records. If a student believes his or her education records contain information that is inaccurate, misleading, or otherwise in violation of his/her privacy rights under FERPA, the student can request NEW AGE TRAINING amend a record by clearly identifying the part of the record the student wants changed and specifying why it should be changed. All requests to amend a record should be submitted to the Program Coordinator in Room 811, who forwards the request to the responsible New Age Training official. If NEW AGE TRAINING decides not to amend the record as requested, NEW AGE TRAINING notifies the student in writing of the decision and the student's right to a hearing with the Academic Committee regarding the amendment request. Additional

information regarding the hearing procedures is provided to the student when notified of the right to a hearing. If the Academic Committee decides not to amend the record, the student may have a statement placed in his or her record that comments on the accuracy of the information and/or setting forth any basis for inaccuracy.

3. The right to have some control over the disclosure of information from education records. With certain exceptions as listed below, NEW AGE TRAINING cannot share a student's education records without the written consent of the student, specifying the records to be released, the purpose of the disclosure, and the party or class of parties to whom disclosure may be made. To permit the release of information, a student must fill out the form titled, *FERPA Release Form*. The student should submit the completed form to the Program Coordinator in Room 811.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by NEW AGE TRAINING to comply with FERPA requirements. 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 20202-5901.

What is an Education Record?

Any record that contains information that is directly related to a student and is maintained by NEW AGE TRAINING or by a party acting on behalf of NEW AGE TRAINING.

What is not an Education Record?

- "Sole possession note" (a note about a student which is not shared with anyone else; "memory jogger")
- Alumni record
- Employment record that is not contingent on the fact that he or she is a student
- Record relating to a student which is made or maintained by medical professionals and is used in the treatment of a student and is disclosed only to individuals providing that treatment

To whom may NEW AGE TRAINING release education records without the student's written consent?

- To New Age Training officials with legitimate educational interest
- Upon their request, to officials of other schools in which a student seeks or intends to enroll or is enrolled
- To certain federal, state, and local authorities
- To specified officials for audit or evaluation purposes
- To appropriate parties in connection with financial aid to a student
- To organizations conducting certain studies for or on behalf of NEW AGE TRAINING
- To accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- To appropriate officials in cases of health and safety emergencies
- To parents/guardians who submit proof that the student has been declared a dependent on their most recent Federal Income Tax form

- To the victim of an alleged perpetrator, the final results of a crime of violence or a non-forcible sex offense in connection with a disciplinary proceeding
- To the general public, the final results of a disciplinary proceeding, if the New Age Training determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and in violation of the New Age Training's rules or policies with respect to the allegation made against him or her.
- To parents regarding alcohol and drug violations of a student under 21 years of age
- To third party requests for Directory Information

What is Directory Information?

Directory Information is generally not considered harmful or an invasion of privacy if disclosed. Under the terms of FERPA, New Age Training has established the following as directory information:

- Student's name, address(es) and telephone numbers
- Email address(es)
- Participation in officially recognized activities
- Dates of attendance
- Major field of study
- Certificates of Completion, Diplomas, honors, and awards received
- Most recent previous school attended
- Enrollment status (e.g., full-time, withdrawn)
- Photographs/Electronic Images

The aforementioned information may be released for any purpose, but our institution uses extreme discretion in doing so. Students can request that Directory Information not be released by filling out the form titled, *Request for Non-Disclosure of Directory Information*, available at the Director's Office in Room 812.

Who is a New Age Training official?

A New Age Training official is a person employed by NEW AGE TRAINING in an administrative, supervisory, academic, research, or support staff position; a person or company NEW AGE TRAINING has contracted as its agent to provide a service instead of using NEW AGE TRAINING employees or officials (such as a contractor, volunteer, attorney, auditor, or collection agent); a person serving on the Board of Directors; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another New Age Training official in performing his or her tasks. A New Age Training official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities to NEW AGE TRAINING.

In what circumstances does NEW AGE TRAINING not provide copies of a student's education records?

NEW AGE TRAINING reserves the right to deny transcripts or copies of records required to be made available under FERPA in any of the following situations:

- The student has an unpaid financial obligation to NEW AGE TRAINING.
- The student has an unresolved disciplinary action.

Does FERPA apply to deceased students?

FERPA rights of an individual expire upon that individual's death; however, it is NEW AGE TRAINING's policy not to release educational records of deceased students unless required to do so by law or authorized to do so by (1) the executor of the deceased's estate; or (2) the deceased student's spouse, parents or children. NEW AGE TRAINING may request proof of death.

What constitutes possible federal and state data collection and use?

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records—including your Social Security Number, grades, or other private information—may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Who can answer more questions about FERPA?

Contact Howard Callman via email: Howard.Callman@newagetraining.com for any additional questions about FERPA.

FERPA ACKNOWLEDGEMENT

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Any student, regardless of age, who attends or has attended New Age Training, falls under FERPA's protection. Attendance starts the first day of class (although NEW AGE TRAINING reserves the right to deny enrollment for misconduct at any New Age Training events prior to the first day of class).

Student enrolled in New Age Training must understand that she/he has the right to:

1. Inspect and review my educational records
2. Request an amendment of my educational records
3. Have some control over the disclosure of personally identifiable information contained in my educational records
4. File a complaint with the Department of Education
5. Know what items are designated as directory information
 - Student's name, address(es) and telephone numbers
 - Participation in officially recognized activities
 - Major field of study
 - Most recent previous school attended
 - Photographs/Electronic Images
 - Email address(es)
 - Dates of attendance
 - Certificates of Completion
 - Enrollment status (full-time, withdrawn status)
6. Designate directory information as confidential