

Student Records - Family Educational Rights and Privacy Act (FERPA)

The *Family Education Rights & Privacy Act*, also called FERPA (*Section 438, Public Law 93380*), requires educational institutions to provide student access to official education records directly related to the student. The act also says you have the right to challenge such records on the grounds that they are inaccurate, misleading or otherwise inappropriate.

Your written consent is required before the college will release personal information from your records to other than a specified list of persons and agencies. These rights extend to present and former Hancock students.

- Education records generally include documents related to admissions, enrollment in classes, grades and related academic information. These records are filed in the Admissions & Records Office.
- The Director of Admissions and Records is the college's designated records officer.
- Personal education records will be made available for inspection and review during normal business hours to currently and formerly enrolled students, within 45 days following completion and filing of a written request with the records officer.
- The college may release certain types of directory information unless you notify the records officer that certain or all information cannot be released without personal consent. Directory information may include:
 1. Student name and city of residence,
 2. Date and place of birth,
 3. Participation in recognized activities and sports,
 4. Dates of attendance,
 5. Degrees and awards received,
 6. The most recent previous educational agency or institution attended, and
 7. Height and weight of members of athletic teams, which may be released only by the appropriate athletic staff member or athletic director.

Objection to the release of this information must be made in writing to the Admissions & Records Office prior to the first day of instruction of any quarter or summer session.

THE SOLOMON ACT

Under federal law, the Solomon Amendment supersedes most elements of Family Educational Rights and Privacy Act (FERPA) and permits for the disclosure of student information if the request conforms to the parameters and requirements set forth in the law.

Legal Authority under the Solomon Amendment

The Solomon Amendment (10 U.S.C. §503) allows military organizations access to education records and information ordinarily restricted under FERPA for the purposes of military recruiting. The Solomon Amendment supersedes most elements of FERPA and requires colleges to release certain information pertaining to their students. Colleges that fail to comply with the Solomon Amendment risk losing funds from several federal agencies, including: the Departments of Education, Labor, Health and Human Services, and Defense (10 U.S.C. §983).

Scope of the Request

The Solomon Amendment allows the Department of Defense entities, such as the U.S. Army, to obtain certain information about currently enrolled full-time students, ages 17 and over, once per term. This information is limited to:

1. Student names
2. Addresses
3. Email address
4. Phone numbers
5. Age
6. Level of education
7. Degree program currently enrolled in
8. Degrees received for recent graduates
9. Educational institutional last enrolled in

The request letter should be sent on the Department of Defense entity's standard letterhead and must cite the relevant legal authority under the Solomon Amendment. In addition, the scope of the request must specifically ask for the aforementioned information.

Specifically, a request for information pertaining to a particular group of students between certain ages is permitted and encouraged to clearly define the scope of the request (e.g. "full-time undergraduate students between the ages of 17 and 35).

Exceptions and Exemptions to Request

The Solomon Amendment requires educational institutions to disclose student information in its possession, but does not actively require institutions to collect student information. As such, institutions are exempt from responding if they do not currently collect or have any responsive information.

In addition, the Solomon Amendment does recognize student and parental rights under FERPA to withhold disclosure of private information. Students and/or parents of students can request that a local educational agency withhold student information unless prior written consent is obtained from the students and/or parents (10 U.S.C. §503(c)(B)).