

STUDENT RECORDS AND THE FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment, (a) establishes a postsecondary student's general right to inspect and review his or her education records, and (b) generally prohibits outside parties from obtaining the information contained in such records without the student's written consent.

Confidential Student Records: Confidential information is information accumulated in confidence, within limits established by law either upon specific promise of nondisclosure or in the context of a confidential relationship. The law provides that the following items may be included in this category: personal records and notes of administrative officers and faculty; medical and mental health records; financial information from parents of students; letters of recommendation for which a student has waived right of access; confidential letters of recommendation placed in the record prior to January 1, 1975. Items in the category of "confidential information" will not be released to the student; they may be released to non-authorized School personnel or persons outside of the School only with the written consent of the student and the Dean who is in charge of the record, except as required by law. Medical and mental health records may be reviewed by a physician or other appropriate professional of the student's choice, as approved in writing by the student.

Restricted Student Information: This category contains the educational records of the student, that is, those records not included in the two categories above that contain information directly related to the student and are maintained by the Registrar. Included, for example, are the transcript, courses elected each semester, grades and other evaluations, academic and disciplinary actions, financial arrangements, and letters of recommendation received in the student's record after January 1, 1975 (unless the student has waived the right of access to those letters). With the exceptions noted in "Exceptions to Restrictions on Release of Information," restricted information may be released only at the student's specific written request, which must name the records to be released, the reasons for release, and the persons to whom the release is authorized.

Exceptions to Restrictions on Release of Information: The law authorizes the release of restricted information without the student's written consent as follows: to school officers and faculty with legitimate educational interest; to individuals and offices as needed in connection with a student's financial aid; to parents of dependent students; to accrediting organizations; to individuals as needed in an emergency situation to protect health and safety; and to selected research workers with stated precautions as to confidentiality. Information may be released to officers of institutions to which the student is applying for admission if the student is notified that it is being sent and is given an opportunity to review it. The student must also be notified before information is furnished in compliance with a judicial order or subpoena. Except as specified above, release to federal, state, or local officials is limited to information relating to audit or evaluation of federally-supported education programs. Where the student has signed the appropriate consent form, the evaluation written by the student's Field Education Teaching Pastor (or Supervising Mentor) may be released to church or denominational judicatory officials upon request of those officials.

Directory Information: The law also provides that information known to be generally available from a variety of sources may be included in the School's Directory: name, address (including home,

mailing, billing, campus and email address), telephone listing (including home and cell phone), date and place of birth, dates of attendance, degrees and awards received, photographs, and most recent previous educational agency or institution attended by the student. The School will make public without student consent only the information listed above. A student who prefers that some or all of such Directory Information not be made public must notify the Registrar in writing by the close of registration each semester.

Student Recruitment Information: When requested, the School will provide contact information to the US Military branches from the Directory Information, unless a student who prefers that some or all of such Directory Information not be made public and has notified the Registrar in writing by the close of registration each semester.

Students' Waiver of Access to Confidential Records: A student requesting recommendations in respect to admission to an educational institution or an application for employment or the receipt of an honor may waive his or her right of access to these recommendations. Any student requesting a letter of recommendation may be asked to indicate to the writer whether they have waived right of access. The decision whether to write a letter of recommendation is an individual and voluntary one. Faculty and students, however, should be familiar with the provision in the law, which states that "waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from such institution."

Students' Right to Inspect Their Records: Within the limits of the law, students may inspect information contained in their restricted records. By law, students may not inspect those materials in their confidential records.

Exceptions to Students' Right to Inspect Their Records: If any material or document in the educational record of a student includes information on other students, the School will not supply the actual material or document. Instead, the School will provide only the specific information contained therein which directly relates to the student seeking access.

Procedures for Students' Inspection of Their Records: The procedure by which students and former students may review their restricted records is as follows:
The student gives a 24 hour written request for such a review to the Dean.
The Dean reviews the file in order to place in sealed envelopes marked either "Confidential information to be opened only by the Dean" or "Restricted information to be opened only by the Dean" any material described under "Confidential Students Records" or "Restricted Student Information."

The student may then review his or her file in the Dean's Office. In no case will access be withheld more than 45 days after proper request has been made. If the student wishes, the School will also supply copies of material in the file. The student will pay for the cost of this copying.

Student Challenge of the Content of Record: A student who questions the content of his or her record should indicate this to the Dean. If the question is not satisfactorily settled, the Dean will be requested to establish an appropriate committee which will hold a hearing at which the student may present evidence in support of the contention that the record contains inaccurate or misleading

information.

Retention and Disposal of School Records: Records fall into two retention categories: permanent and limited. Permanent Retention Records are those records that the School is obligated to maintain permanently either directly by law or indirectly by the need of supporting documentation. These records are to be maintained in hard copy (in fireproof cabinets) and in an appropriate electronic format.

Permanent records include the following:

- Claremont School of Theology transcripts
- Class lists
- Grade reports
- Change of Grade forms
- Enrollment reports
- Course schedules and addenda
- Degree statistics (lists of approved graduates and their degrees, dates of conferral, type, etc.)
- Catalogues

Limited Retention Records are those records which the School is obligated, either directly by law or indirectly by the need for supporting documentation, to maintain on a limited basis. The length of time each type of document is to be retained is indicated.

- Admissions Documents, to be maintained separately in alphabetical order:
 - Files of those who applied but did not attend (either because they were denied admission or because they rejected our offer of admission): three years.
 - Incomplete admission files: three years.
 - Files of those who were admitted, granted a loan, and then either withdrew the first semester or did not attend at all: five years.
 - Financial Aid Records, to be maintained separately in alphabetical order:
 - Files of those who were admitted but did not attend: five years.
 - Files of those who were admitted, granted a loan, and then either withdrew within the first semester or did not attend at all: either five years, or five years from the date on which the entire amount of the loan has been repaid, canceled, or assigned in accordance with pertinent provisions of the Perkins Loan program, Section 144.18 (c) (3), and/or relevant Stafford Loan provisions, whichever is greater.
 - Files of all others including those attending students who were granted Perkins Loans or Stafford Loans at any time during their course of study: either five years, or (in the case of Perkins and /or Stafford loan recipients) five years from the date on which their entire loan amount has been repaid, canceled, or otherwise lawfully terminated, whichever is greater.
- Registration Records and Certification Documents, to be maintained separately in alphabetical order:
 - Files of those who were admitted and attended classes for at least one semester (including those who complete programs and graduate and those who withdrew or are terminated at any point after one semester): five years from date of departure.