SUPERSEDES:  

SECTION:  Academic Affairs

POLICY AND PROCEDURE MANUAL

CODE NO.  510

MERCY COLLEGE OF OHIO

TOLEDO, OHIO

SUBJECT:  Family Educational Rights to Privacy Act (FERPA)

DATE ORIGINATED:  12/94

DATE REVISED:  04/25/12

Purpose:  To ensure the privacy and protection of student files.

Procedure(s):  The following is a review of procedures regarding applicant versus enrolled student records, and the release of student information.

1. The entire FERPA policy is available in the Registrar’s office for review.
2. Students will be notified annually regarding their FERPA rights via the Student Handbook and the College website.
3. The FERPA act applies to enrolled students, not applicants. Questions about applicant files are to be addressed to the Associate Dean of Enrollment Services.
4. Faculty are required to sign and adhere to the Code of Responsibility and Confidentiality of Data which is signed at the time faculty/staff members are hired, and filed in their permanent files.

5. Parents and spouses are NOT given information from a student’s file, other than their own personal data when the parent or spouse is the student. All accepted students over the age of eighteen are treated as adults, and are required to complete a Disclosure of Directory Information Form at orientation allowing the College to either release or not release directory information. This form is then filed in the student’s permanent file and noted in the student database system.

   Institutions requesting information will be given directory information upon request, unless the student has requested that no directory information should be released.

6. Any concerns or questions regarding release of student information should be directed to the Registrar.

   Note:  As a private institution, Mercy College of Ohio is not governed by Ohio statutes, which allow release of additional types of information to employees, employers and applicants.
Family Educational Rights to Privacy Act (FERPA)

Annually, Mercy College of Ohio informs students of the Family Educational Rights and Privacy Act of 1974, as amended. This Act, with which the institution intends to comply fully, was designated to protect the privacy of education records, to establish the right to students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the rights to file complaints with The Family Educational Rights and Privacy Act Office (FERPA) concerning alleged failures by the institution to comply with the Act.

FERPA Rights explain in detail the procedures to be used by the College for compliance with the provisions of the Act. Copies of the policy can be found in the Registrar’s office. The policy is also printed in the Student Handbook.

Questions concerning the Family Educational Rights and Privacy Act may be referred to the Registrar’s Office.
MERCY COLLEGE OF OHIO
CODE OF RESPONSIBILITY AND CONFIDENTIALITY OF DATA

Both federal law (the Family Educational Rights and Privacy Act of 1974 and amendments) and state law (The Ohio Revised code Section 102) are in effect to insure the security and confidentiality of information used in operations is guaranteed. Thus, security and confidentiality is a matter of concern for all employees within Mercy College of Ohio, such as faculty, staff and administration within the Office of the Registrar, and any other persons who have access to the College’s data systems or physical facilities. Each person working for or with Mercy College of Ohio holds a position of trust relative to this information. Therefore, each employee or affiliate of Mercy College of Ohio will not:

1. Make or permit unauthorized use of any information.
2. Seek personal benefit or permit others to benefit personally by any confidential information which has come to them by virtue of his/her work assignment and in accordance with College and office policies.
3. Exhibit or divulge the contents of any record or report to any person, except in the conduct of their work assignment in accordance with College and office policies.
4. Knowingly include or cause to be included in any record or report a false, inaccurate or misleading entry.
5. Remove any official record (or copy) or report from the office where it is kept, except in the performance of his/her duties.
6. Publicly post grades in a manner that would divulge personal information, such as social security numbers and names.
7. Release or discuss any student information, such as attendance, grades, and billing matters, with persons other than the student, unless the student has granted permission.
8. Aid, abet, or act in conspiracy with another to violate any part of this code.

Any violations of this code are to be immediately reported to the violator’s supervisor.

While your supervisor can assist you in understanding these policies and how we must operate within them, you should become familiar with:

- its provisions, particularly those regarding required consent to release information,
- the list of information which can be released without consent of currently and formerly enrolled students,
- how information is designated when the student has indicated that it cannot be released.

When a student has chosen to indicate information is not to be released, the requestor should be advised, “that we are unable to release any information.” You are advised to refer any questions or requests for information of which you are unsure to your supervisor.

As custodians of official College records, we all share the responsibility for ensuring the security and privacy of the records and data we maintain. Please study the attached document and, after you have read it, sign the statement below. This acknowledgement will be retained in a file in the Office of the Registrar.

A violation of this policy may lead to reprimand suspension, dismissal or other disciplinary actions, consistent with the general personnel policies of the College.

In addition, the Ohio Revised Code specifies:

“No present of former public official or employee shall disclose or use, without an appropriate authorization, any information acquired by him in the course of his official duties which is confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.”

Conviction for violation of the statute is a first-degree misdemeanor (up to 6 months imprisonment and/or $1000 fine).

I, __________________________, hereby affirm that I have read Mercy College of Ohio’s policy statement on Student Rights under the Family Educational Rights and Privacy Act, of 1974 as Amended, and the foregoing statement. I understand the obligations imposed by these documents and will comply with the standards and requirements contained therein. I have retained in my possession a copy of the document for future reference.

______________________________  __________________________
Signature                        Date

Revised as of 5/27/2014
By: HMH