



**HIGHER EDUCATION ACT ANNUAL DISCLOSURE NOTICE
NOTIFICATION UNDER FERPA OF STUDENT RIGHTS
CONCERNING EDUCATION RECORDS AND DIRECTORY INFORMATION**

The Family Educational Rights and Privacy ACT (FERPA) affords students certain rights with respect to their education records. These rights attach to a student who is 18 years or older or any student attending a College at any age. See Section "6" below on your right to prevent the disclosure of directory information. The FERPA rights of students are:

- (1) The right to inspect and review your education records.

Students should submit any request to review or inspect education records to the Registrar, or other appropriate official, in the form of a written request that identifies the record(s) they wish to inspect. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

All request shall be granted or denied in writing within 45 days of receipt. If the request is granted, you will be notified of the time and place where the records may be inspected. If the request is denied or not responded to within 45 days, you may appeal. Additional information regarding the appeal procedures will be provided to you if a request is denied.

- (2) The right to request the amendment of the student's education records that the student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA.

You may ask the college to amend a record that you believe is inaccurate, misleading or otherwise in violation of your privacy rights under FERPA. You should write to the College official responsible for the record, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading.

If the College decides not to amend the record as requested by you, the College will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of your right to a hearing.

- (3) The right to consent to disclosure of personally identifiable information contained in your education records, except to the extent that FERPA authorizes disclosure without consent, except:
 - a. To a school official with legitimate educational interests;

A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff), a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials, a person serving on the Board of Trustees, or a

student serving on an official committee, such as a disciplinary committee, or assisting another college official in performing his or her tasks.

A school official has a legitimate educational interest if access is reasonably necessary in order to fulfill his or her professional responsibilities.

- b. Upon request, the College discloses education records without consent to officials of another college or school in which a student seeks or intends to enroll.
- c. To officials of other institutions in which the student seeks or intends to enroll provided that the student has previously requested a release of his/her record;
- d. To authorized representatives of the U.S. Department of Education, the Comptroller General of the United States, state educational authorities, organizations conducting for or on behalf of the college, and accrediting organizations;
- e. In connection with a student's application for, and receipt of financial aid;
- f. To comply with a judicial order or lawfully issued subpoena;
- g. To parents of dependent students as defined by the Internal Revenue Code;
- h. To appropriate parties in a health or safety emergency; or
- i. To the alleged victim of any crime of violence or the results of any disciplinary proceedings conducted by the College.
- j. To the general public, the final results of a disciplinary proceeding, subject to the requirements of FERPA, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her.
- k. To parents of a student regarding the student's violation of any Federal, State, or local law or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.

(4) You may appeal the alleged denial of FERPA rights to the:

Dorothy M. Dugue, Esq.
Chief Compliance Officer
Essex County College
303 University Avenue
Newark, New Jersey, 07102
Email: ddugue@essex.edu

(5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

(6) The college will make the following "directory information" concerning current and former students available to those parties having a legitimate interest in the information: name, semester of attendance, local and permanent mailing addresses, telephone numbers, date and place of birth, photograph, e-mail address, full or part-time status, current enrollment status (full or part time), classification (freshman, etc.), date of admission, major field of study, type of degree being pursued, previous educational institution attended, date of graduation, degree(s) conferred, honors and awards received (including scholarships) participation in officially recognized activities and sports, height and weight of athletic team members, and photographs. By filing a form with the Enrollment Service's Office, you may request that any or all of this directory information not be released without your prior written consent. The College will honor a request to withhold information but cannot assume responsibility to contact the student for subsequent permission to release them. Regardless of the effect upon the student, the College assumes no liability as a consequence of honoring instructions that Directory Information be withheld. The College assumes that failure on the part of the student to request the withholding of Directory Information indicates individual approval for disclosure. The form to opt-out of disclosure of directory information is available in the Enrollment Service's Office and may be filed, withdrawn, or modified at any time.