

NOTIFICATION OF PRIVACY RIGHTS AND ACCESS TO RECORDS UNDER FERPA

I. STUDENT RIGHTS UNDER FERPA

A. The Family Education Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. Education records are defined as records that are directly related to a student who enrolls at California Western School of Law (CWSL) and are maintained by CWSL or a party acting for the institution. Enrollment begins the date the student matriculates at CWSL. These rights include:

- (1) The right to inspect and review the student's education records within 45 days after CWSL receives a request for access.
A student must submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The Registrar will make access arrangements and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Registrar, s/he shall advise the student of the correct official to whom the request should be addressed.
- (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.
A student who wants CWSL to amend a record should write the CWSL official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If CWSL decides not to amend the record as requested, CWSL will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when s/he is notified of the right to a hearing.
- (3) The right to provide written consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent, including as set forth in part B, below.
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by CWSL 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**

B. CWSL is authorized to disclose education records *without* a student's prior written consent to school officials with legitimate education interests. A school official is any person working for CWSL in an administrative, supervisory, teaching, academic, research, or support staff position, including, but not limited to, law enforcement unit personnel and health staff, whether employed by CWSL or hired as independent contractors; a person or company with whom CWSL has contracted as its agent including, but not limited to, attorneys, auditors, collection agents, consultants, and persons serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; or a person employed by CWSL or who volunteers for CWSL who assists an employee or student serving on an official committee or in an official capacity.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for CWSL, including, but not limited to, performing appropriate tasks that are specified in his/her job description or by a contract agreement, serving on any disciplinary or grievance committee, performing a task related to a student's education, and/or providing a service or benefit relating to the student or student's family (such as health care, counseling, job placement or financial aid).

In addition to other exceptions recognized under FERPA, CWSL may disclose education records without a student's prior written consent in response to a court order or lawfully issued subpoena, and can provide access to such records to federal educational and auditing officers and accrediting organizations. Upon request, CWSL may disclose education records without consent to officials of another school in which a student seeks or intends to enroll. CWSL may also disclose personally identifiable information in connection with health or safety emergencies to appropriate parties.

With the exception of subpoenas, which are reviewed by the General Counsel, the Vice Dean for Academic Affairs (or a designee) is responsible for determining the legitimacy of each request for information.

DIRECTORY INFORMATION

CWSL may release a student's directory information without written consent provided that the student (or former student) has not specifically asked CWSL to refrain from releasing such information. The primary purpose of directory information is to allow CWSL to include this type of information to certain school publications, such as the honor roll, other recognition lists, and graduation programs. Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without prior written consent.

If a student wishes to restrict the release of any or all directory information, a signed request must be filed with the Registrar's Office. While a student may file a request with the Registrar at any time, no directory information will be released during the first fourteen calendar days of the Fall trimester to allow students time to file requests.

CWSL considers the following to be directory information: student name (unless a student restricts the release of this information), address, law school email address, telephone listing, photograph(s), date and place of birth, dates of attendance, class year and current enrollment status, academic honors, participation in officially recognized activities, previous institutions attended, and degrees and awards received.

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