

NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

(1) The right to inspect and review the student's education records within 45 days of the day Cattaraugus-Allegany BOCES receives a request for access.

A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The Cattaraugus-Allegany BOCES official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Cattaraugus-Allegany BOCES official to whom the request was submitted, that official 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 wishes to ask Cattaraugus-Allegany BOCES to amend a record should write the Cattaraugus-Allegany BOCES official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If Cattaraugus-Allegany BOCES decides not to amend the record as requested, Cattaraugus-Allegany BOCES 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 notified of the right to a hearing.

(3) The right to provide written consent before Cattaraugus-Allegany BOCES discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Cattaraugus-Allegany BOCES discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Cattaraugus-Allegany BOCES 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 Cattaraugus-Allegany BOCES has contracted as its agent to provide a service instead of using Cattaraugus-Allegany BOCES employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or 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.

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 Cattaraugus-Allegany BOCES.

[Optional] Upon request, Cattaraugus-Allegany BOCES also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by Cattaraugus-Allegany BOCES to comply with the requirements of FERPA. 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

(5) BOCES will maintain a record in a student's file listing to whom personally identifiable information was disclosed and the legitimate interests the parties had in obtaining the information (does not apply to school officials with a legitimate educational interest or to directory information). There are some exceptions to this requirement. BOCES does not have to record instances where the request is made by:

- The parent or eligible student
- A school official who has a legitimate educational interest
- A party with written consent from the parent or eligible student
- A party seeking directory information
- Certain court orders or subpoenas