

Students' Rights Under FERPA The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA) as amended is a federal law which is designed to protect the privacy of and limit access to the educational records of students. By law, the Seminary is permitted to disclose directory information concerning students as defined in the Act, unless a student has specifically waived those rights. FERPA allows for the release of both "directory" and "non-directory" student information to "school officials" who have a legitimate educational interest without obtaining the student's consent. A school official is determined to have a legitimate educational interest if the disclosure of the information is appropriate in order to fulfill his or her professional responsibility in service to the Seminary. The full text of the Act is available on the Family Policy Compliance Office ([FPCO Website](#)).

Notice of Rights of Students Regarding Their Educational Records under FERPA

Students of Lancaster Theological Seminary are hereby notified that they have the right to:

- [inspect and review](#) their education records within 45 days of the day that LTS receives a request for access;
- [request an amendment](#) to items in their education records that they believe are inaccurate or misleading;
- [block disclosure](#) of "directory information," except to the extent that FERPA authorizes disclosure without consent;
- [file a complaint](#) of alleged violations with the U.S. Department of Education.

The right to inspect and review their education records within 45 days of the day that LTS receives a request for access. A student should submit to the registrar a written request that identifies the record(s) the student wishes to inspect. The registrar will make arrangements for access and notify the student of the time and place where the record(s) may be inspected. If the records are not maintained by the Seminary official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

The right to request an amendment to 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 the Seminary to amend a record should write the registrar (or other Seminary official responsible for maintaining the record), clearly identifying the part of the record the student wants changed, and specifying why it should be changed. Under federal regulation, the Seminary has the right to approve or deny challenge requests. If LTS agrees with the student's request, the appropriate records will be amended. If LTS denies the request, the Seminary will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. A written request for a hearing should be submitted to the Dean of Students. If such a hearing results in further denial of the request, the student has the right to place with the educational record a statement that comments on

the information in the record or that sets forth any reason for disagreeing with the decision of the hearing.

The right to block disclosure of "directory information," except to the extent that FERPA authorizes disclosure without consent. A student who does not wish to have information disclosed or published must notify the Registrar in writing. The student may submit a [Request to Prevent Disclosure of Information](#) form for this purpose. The request for non-disclosure becomes effective when received by the registrar and is not retroactive; it will remain in effect until it is rescinded in writing to the Registrar. "Directory Information" is information that the school may disclose, but is not required to do so. All other (non-directory) information contained in a student's record (e.g., grades, social security numbers, academic actions, etc.) is strictly confidential and is not disclosed without the student's written consent.

The right to file a complaint with the U.S. Department of Education concerning alleged failures of LTS to comply with the requirements of FERPA. Complaints regarding alleged violations of rights of students under FERPA may be submitted in writing within 180 days to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920. Further contact information: FERPA@ed.gov; 202-260-3887 (voice); Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339; or Visit FPCO's Web site at: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.
Definitions and Frequently Asked Questions

- [What are education records?](#)
- [What is personally identifiable information?](#)
- [What is "Directory Information"?](#)
- [To whose records does FERPA apply?](#)
- [To whom does the term "School Officials" apply?](#)
- [What is considered "legitimate educational interest"?](#)
- [Whom should I contact at LTS if I have questions about FERPA?](#)

Education Records are all records from which a student can be personally identified that are directly related to a student and maintained in any medium by a particular office, faculty advisor, instructor, or any other academic or administrative unit at LTS. A student has the right to review and inspect those records by contacting the Registrar in writing. Within five business days, the Registrar will respond with a time that the student may review the records. Education records are not limited to those records and data stored or maintained by the Registrar's Office. Education records are not sole possession records (those held in the sole possession of the maker of the record and not revealed to anyone other than the maker's substitute); law enforcement records; employment records of students, except graduate-assistants; medical records; alumni/ae records.

Personally identifiable information includes but is not limited to: the student's name; the address of the student; a personal identifier, such as the student's social security number or I.D. number; or other information that would make the student's identity easily traceable.

Directory Information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. **As defined in the Act, such information may be released without prior consent unless a student has specifically waived those rights.** At LTS, “directory information” includes: student’s full name, address, telephone number and LTS e-mail address; degree program; dates of attendance; photograph; degrees and awards received; participation in recognized activities. A student who does not wish to have this information disclosed or published must notify the Registrar in writing. The student may submit a [Request to Prevent Disclosure of Information](#) form for this purpose. The request for non-disclosure becomes effective when received by the registrar and is not retroactive; it will remain in effect until it is rescinded in writing to the Registrar. In summary, "Directory Information" is information that the school **may** disclose, but it is not required to do so. All other (non-directory) information contained in a student's record (e.g., grades, social security numbers, academic actions, etc.) is strictly confidential and is not disclosed without the student's written consent.

Students and former students of Lancaster Theological Seminary are covered under the regulations of FERPA. Individuals who did not complete the application process, or those who applied but were not enrolled, are not covered by the Act.

School Officials are employees, officials and representatives of Lancaster Theological Seminary deemed to have a legitimate educational interest in students’ records. Individuals determined to be LTS “School Officials” may include:

- Representatives of accrediting organizations and organizations doing certain studies for or on behalf of the Seminary
- Appropriate parties in connection with financial aid to a student to determine eligibility, amount or conditions of financial aid, or to enforce the terms and conditions of aid
- Other schools, upon request, in which a student is seeking or intending to enroll
- Certain government officials of the U.S. Department of Education; the Comptroller General of the U.S.; state and local educational authorities in connection with an audit; authorized representatives of the U.S. Attorney General for law enforcement purposes or state or federally supported education programs; Veterans Administration officials
- Individuals who have obtained a judicial order or subpoena
- Seminary officials who need to know concerning disciplinary action taken against a student
- Appropriate parties who need to know in cases of health and safety emergencies when necessary to protect the health and safety of the student and/or others
- Those requesting directory information about a student provided the student has not submitted a written request to have his or her information withheld

Legitimate Educational Interest is determined if the disclosure of the information is appropriate in order for the school official to fulfill his or her professional responsibility in service to the Seminary. FERPA allows for the release of both “directory” and “non-directory” student information to “school officials” who have a legitimate educational interest without obtaining the student’s consent.

Contact [Teresa Benneian](#), Registrar, for further information, to make an appointment to review and inspect your education record or to receive this information in print form.

More Information

- Full text of [FERPA Policy](#)
- [Request to Restrict Directory Information Form](#) (PDF)
- [Family Policy Compliance Office](#)