



The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day the Montserrat College of Art 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 school 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 school 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 is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask Montserrat College of Art to amend a record should email the Registrar’s Office at [registrar@montserrat.edu](mailto:registrar@montserrat.edu), clearly identify the part of the record the student wants changed, and specify why it should be changed.

If Montserrat College of Art decides not to amend the record as requested, Montserrat College of Art 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 Montserrat College of Art discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Montserrat College of Art 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 typically includes a person employed by Montserrat College of Art in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Montserrat College of Art who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and

maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for Montserrat College of Art.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures Montserrat College of Art to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

See the list below of the disclosures that postsecondary institutions may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within [School] whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(I) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State- supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce

the terms and conditions of the aid. (§ 99.31(a)(4))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as “directory information” under § 99.37. (§ 99.31(a)(11))
- 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. (§99.31(a)(15))

In accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA), a student may request that Montserrat College of Art release no directory information about the student without specific written authorization except to the extent that FERPA authorizes disclosure without consent.

Montserrat College of Art has designated the following as directory information:

- name(s) of student who is or has been in attendance; • dates of attendance; • local and other address(es); • telephone number(s); • e-mail address(es); • date and place of birth; • major, concentration and minor field(s) of study; • class level; • enrollment and residency status; • degree(s), honors, and awards received and where received; • expected date of completion and official graduation date(s); • previous educational agency or institution(s) attended; • photo ID images, picture, or video of the student; • identification of work(s) produced, including images and video of; • participation in college-sponsored co-curricular activities and clubs.

Student’s personally identifiable information such as grades, GPA, social security number, and other personal information will not be released without the student’s written consent except to the extent that FERPA authorizes disclosure without consent.

Students have the right to request Montserrat College of Art to restrict the release of “directory information” as stated previously. A student must notify the Registrar’s Office in writing before the end of the drop/add period of the semester. The Student may obtain a form requesting non-disclosure from the Registrar’s Office. No information will be released without the written consent of the student except to the extent that FERPA authorizes disclosure without consent. Status of disclosure at the last enrollment period is binding until such time that the College is notified in writing by the student to permit release of “directory information.”