

Family Education Rights and Privacy Act of 1974 (FERPA) – Student Records Policy

King's College students, as provided by statute, may review any official records, files, and data directly related to them that are on file in the administrative offices. The files include identifying data, academic work completed, grades, family background information, disciplinary referrals, references, ratings, or observations. (References, ratings, or observations completed before January 1, 1975, are not available to students, nor are confidential recommendations collected by the Placement Office under a waiver by the individual.)

Requests to review the aforementioned documents should be made in writing to the appropriate College official. In all cases other than discipline, address requests to:

Office of the Registrar
King's College
133 North River Street
Wilkes-Barre, PA 18711

Direct requests to view disciplinary referrals to the Associate Vice President for Student Affairs and Dean of Students or designee at the same address. The records, files, or data will be made available no later than 45 days from the time the written request is received.

Student records, files, or data will be available to outside individuals or agencies only after King's receives written authorization for release from the student. Exceptions include circumstances involving:

- A. Accrediting organizations
- B. Student's application for, or receipt of, financial aid
- C. Cases of emergency, if the information is necessary to protect the health and safety of the student or other persons
- D. Individuals who have obtained court orders or subpoenas
- E. Certain government officials carrying out lawful functions
- F. School officials with legitimate educational interests; a school official is a College employee in an administrative, supervisory, research, or support staff position, including Title IX Coordinators
- G. Students who have applied to transfer to another college or university

In accordance with the USA Patriot Act, under court order, the College will release educational records to federal law enforcement agents investigating terrorist acts, without the consent of students.

If served a subpoena, the College will make a reasonable effort to notify the student(s) involved to provide them an opportunity to quash the subpoena. After making a reasonable effort to notify the student(s), the College may produce records in response to the subpoena. If the subpoena instructs the College not to disclose the contents of the subpoena, the student will not be notified by the College.

Directory information includes the student's name, address at home, on-campus or off-campus telephone numbers, date and place of birth, campus email address, photo, major field of study; dates of attendance, degrees and awards received, and the previous educational institution attended by the student. Body weight and height are considered directory information for intercollegiate athletes.

Students requesting directory information not be released without their prior consent must file official notification by selecting "Deny Access" on the Student Records Release Information section on Self-Service. The "Deny Access" designation applies to all directory information listed above, and to all persons making an inquiry about the students. Requests for privacy are maintained in a student's electronic record.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by King's College 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, D.C. 20202-4605

A student, as provided by statute, may request, in writing, a review of any information that they feel may be inaccurate or misleading. In accordance with the provisions of the statute, an appropriate administrative officer of the College who does not have a direct interest in the outcome must conduct the review.

Materials will be reproduced at a cost of \$0.50 cents per page for records and \$15 for a transcript.

Disciplinary Records

Retention of Records

All reports of alleged student disciplinary guideline offenses are retained in the student file until that file is destroyed, approximately seven (7) years after graduation or separation from the College. Disciplinary records include students found responsible for violating the Student Code of Conduct, Sexual Harassment/Misconduct Violations (Title IX), or the Academic Integrity Policy.

Release of Records

No disciplinary information from student records will be released without the student's consent, except to parents or other persons responsible for the student's College tuition. Only those College officials authorized by the Office of Student Affairs will be permitted to review student disciplinary records.

The results of all students' conduct cases are confidential and not to be released to any unauthorized persons. In all cases, authorized persons are required not to divulge the outcome of a case to any other person. Failure to adhere to this policy will result in discipline and/or employment action and exclusion from receiving outcomes of disciplinary cases. In accordance with federal statute, all victims of violent crimes or sexual assault cases may receive the outcome of their cases. At the discretion of the Associate Vice President for Student Affairs and Dean of Students or designee, the complainant in the case and College officials with a need to know may be informed of the outcome of cases. With the permission of the student, disciplinary record information may be supplied to third parties including for the purpose of reference or record checks. The College will provide disclosure due to being served an order by a court for student records.

Students are to be aware that reference or background reviews by governmental agencies, applications for teaching certificates or licenses, and applications for graduate, professional school, or employment require the full disclosure of all College records, including College disciplinary records. The presentation of a signed waiver by the student will result in full disclosure of disciplinary records.

Notification of Parent or Guardian

The College releases information contained in student records within the guidelines of the Family Rights and Privacy Act. The College encourages students to communicate on a regular basis with their parents or guardians. There are specific instances where the College reserves the option to notify a student's parent or guardian. These instances are in situations where parental or guardian involvement is necessary for the benefit of the student's well-being or educational progress.

King's College may notify parents or guardians if a student:

- Is not able to make a decision regarding contacting their parents or a guardian due to physical illness or psychological state
- Is admitted to a hospital, crisis center or treatment center (other than emergency room)
- Is placed on disciplinary probation, suspension, or dismissal after the student's appeal has been exhausted
- Who is underage and is found to have violated the College's alcohol policy for consumption, possession or intoxicated behavior after the student's appeal has been exhausted
- Is being detained by local or state authorities.

The decision to notify a parent or guardian will be at the discretion of the Associate Vice President for Student Affairs and Dean of Students.