

June 2009

Re: Family Educational Rights and Privacy Act of 1974 (FERPA)

Dear Student:

Please read the following carefully and completely and retain it for future reference so that you are fully aware of your rights under FERPA.

Annually, Manhattan School of Music informs students of the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended. This Act, with which the School intends to comply fully, was designated to protect the privacy of educational records, to establish the rights of students to inspect and review the educational records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the right to file complaints with The Family Educational Rights and Privacy Act Office concerning alleged failures by the School to comply with the Act.

Annual Notification to Students of FERPA Rights

The following notification is also available in the *Manhattan School of Music Catalogue, Student Handbook* and on the School's Web site (www.msmnyc.edu/registrar/regulations).

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. They are:

1. The right to inspect and review the student's educational records within 45 days of the day the School receives a request for access. Students should submit to the Registrar or other appropriate official, written requests that identify the record(s) they wish 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 educational records that the student believes are inaccurate or misleading. Students may ask the School to amend a record that they believe is inaccurate or misleading. They should write to the School official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the student, the School will notify the student of the decision and advise the student of his or her 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 consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to School officials with legitimate educational interest. A School official is a person employed by the institution in an administrative, supervisory, academic, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the School has contracted (such as an attorney, auditor, collection agent, or security guard); a person serving on the Board of Trustees; or, when deemed appropriate, a student serving on an official committee (such as a disciplinary or grievance committee), assisting another School official in performing his or her tasks, or employed as a worker. Legitimate educational interest is defined as the determination of the right of a School official to review an educational record in order to fulfill his or her professional responsibility. In addition, the official must be able to demonstrate that the review is directly related to the student's

educational welfare or the safety of the student and/or other members of the School community.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Manhattan School of Music 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
600 Independence Avenue, SW
Washington, D.C. 20202-46055
5. Schools may disclose, without consent, directory information including a student's name, telephone numbers (permanent, primary, and cellular), addresses (including electronic mail), date and place of birth, major, honors (including Dean's List), awards, photograph, classification, dates of enrollment, enrollment status, degrees conferred, dates of conferral, graduation, distinctions, and the institution attended immediately prior to admission. Students who wish to restrict the release of such information are required to notify the Office of the Registrar in writing within 10 days of the first day of the semester of enrollment. A request to withhold information may be submitted after the stated deadline, but information may be released between the deadline and receipt of the request.

Directory Information

The following information about students is considered Directory Information at Manhattan School of Music:

Name, telephone numbers (permanent, primary and cellular), addresses (including electronic mail), date and place of birth, major, honors (including Dean's List), awards, photograph, classification, dates of enrollment, enrollment status, degrees conferred, dates of conferral, graduation, distinctions, and the institution attended immediately prior to admission.

Directory Information may be made available to the general public unless you request that the School withhold disclosure of such Directory Information. In order to exercise your right to withhold Directory Information, you must notify the Office of the Registrar, **in writing**, no later than 10 days after the first day of the semester of enrollment. A request to withhold information may be submitted after the stated deadline, but information may be released between the deadline and receipt of the request. You may request a copy of *Student Authorization to Withhold Directory Information Form* from the Office of the Registrar or download it from the Registrar page of the School's Web site at www.msmnyc.edu/registrar/regulations/. Once you have requested the School to withhold Directory Information, that request will be valid until you rescind the request in writing on the original *Authorization to Withhold Directory Information Form*.

Release of Education Record Information to Parent(s)/Guardian(s)

In accordance with FERPA and Manhattan School of Music policy, the School **may** disclose non-directory educational information from the academic records of a student to parent(s)/legal guardian(s) when the School:

1. Has written consent of the student on file. You may request a copy of *Student Authorization to Release Education Records to Parent(s)/Guardian(s) Form* from the Office of the Registrar or download it from the Registrar page of the School's Web site at www.msmnyc.edu/registrar/regulations/. OR
2. Has determined that the student is legally a dependent of the parent/guardian according to the Internal Revenue Code of 1986, Section 152. The School will use information in copies of current tax returns provided to the School to aid in determining dependency.

These forms may have been provided previously in support of the student's financial aid application. Parents may also send a statement in writing certifying that the student is a dependent with a copy of a current income tax form attached.

The School may also disclose non-directory educational information to parent(s)/legal guardian(s):

1. In an emergency, if the knowledge of information is necessary to protect the health or safety of the student or other persons OR
2. Regarding the student's violation of any federal, state, local law, or any institutional policy or rule governing the use of alcohol or a controlled substance under FERPA guidelines OR
3. At other times as the School's administration deems appropriate within FERPA guidelines

For further information on FERPA, please contact the Office of the Registrar or Director of Administration & Human Relations.

Sincerely,

David L. McDonagh
Registrar