

Educational Rights and Privacy of Students

Pursuant to Section 99.6 of the rules and regulations governing the Family Educational Rights and Privacy Act of 1974 (hereinafter FERPA), students in attendance at the University of Hawai'i-Windward Community College are hereby notified of the following:

1. It is the policy of Windward Community College to subscribe to the requirements of Section 438 of the General Education Provision Act, Title IV, of Public Law 90-247, as amended, and to the rules and regulations governing FERPA, which protect the privacy rights of students.

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

- The right to inspect and review the student's education records within 45 days after the day Windward Community College 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.
- 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 the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the school decides not to amend the record as requested, the school 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.
- The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The school 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 Windward Community College 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 regents; 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 Windward Community College 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. 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 Windward Community College.
- Parents and spouses of students are advised that information contained in education records, with the exception of directory information, will not be disclosed to them without the prior written consent of the student.
- Students are advised that institutional policy and procedures required under FERPA have been published as Administrative Procedure AP 7.022, Procedures Relating to Protection of the Educational Rights and Privacy of Students. Copies of Administrative Procedure AP 7.022 may be obtained from the Office of the Vice Chancellor for Student Affairs.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Windward Community 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, DC 20202

Directory Information

The University has designated the following information from a student's education record as "directory information":

1. Name of student;
2. Major field of study;
3. Class (i.e., freshman, sophomore, etc.);
4. Past and present participation in officially recognized activities (including positions held and official statistics related to such participation and performance);

5. Past and present participation in officially recognized sports (including positions held and official statistics related to such participation and performance);
6. Weight and height of members of athletic teams;
7. Dates of attendance;
8. Previous institution(s) attended;
9. Full or part-time status;
10. Degree(s) conferred (including dates);
11. Honors and awards (including Dean's List).

At its discretion and in conformance with applicable state law, the University may disclose directory information to the public without obtaining a student's prior consent, so long as certain conditions regarding general notification of disclosure of directory information have been followed. Specific directory information about an individual student will not be released to the public if the student has affirmatively informed the University that he or she does not want any or all of those types of information about himself or herself designated as directory information. The procedures for an individual student to "opt" out of disclosure is set forth in UH administrative policy A7.022. Note: Submission of this FERPA nondisclosure of directory information request does not automatically remove students from the UH Online Directory of email addresses, which is accessible only to those with a valid UH email address.

To remove yourself from the UH Online Directory:

1. Login to MyUH
2. Select the My Profile Tab
3. Look for UH Online Directory, Options for Students, select Opt-out

Lists of directory information will not be made publicly available to third parties.

The school may provide the UH Foundation with lists of students with the following information: name, school/college/division/department. Degree, major and minor fields of study, UH email address, home address, and telephone number for the purpose of University and alumni relations.

FERPA Annual Notice Addendum:

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records—including your Social Security Number, grades, or other private information—may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education" such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Use of Social Security Number

The University of Hawai'i (University) is committed to safeguarding the privacy of personal and confidential information of its students, employees, alumni, and other individuals associated with the University. In the normal practice of conducting official University business, the University collects and maintains confidential information relating to its students, including a student's Social Security Number (SSN). The University requests that a student provide a SSN at the time of application to the University. The SSN is not required for enrollment; however, the University is required by federal law to report to the Internal Revenue Service (IRS) the SSN and other information for tuition-paying students. Federal law also requires the University to obtain and report to the IRS the SSN for any person to whom compensation is paid. Due to the practical administrative difficulties which

the University would encounter in maintaining adequate student records and processing financial transactions without the SSN, the University will continue to collect SSNs as permitted by law for official use within the University system. Providing the University with your SSN ensures that University programs and services are available with the least delay.

Students will be assigned a University generated student identification number upon enrollment, which will be used as the primary identifier. The SSN will not be used as the primary identifier of students associated with the University. The SSN will be used in activities, including but not limited to, matching and reconciling documents in order to determine eligibility for admission and financial aid, to determine residency for tuition purposes, to comply with federal and/or state law reporting requirements (e.g. for financial aid, Internal Revenue Service mandates, Taxpayer's Relief Act of 1997, Immigration and Naturalization Service), and in accordance with the Family Educational Rights and Privacy Act. The SSN will not be disclosed to any persons outside the University system, except as allowed by law or with permission from the individual. This policy does not preclude, if a primary means of identification is unavailable, the University from using the SSN as needed to conduct official University business.