

Right to Consent to or Withhold Disclosure of Personally Identifiable Information – 99.30 and 99.37

The institution must notify eligible students of what information it has designated as directory information.

The notification must also explain the eligible student's right to refuse to let the institution designate any or all of this information as directory information and must give a period of time within which an eligible student has to notify the institution in writing that he or she does not want any or all of the information designated as directory information.

The eligible student must provide a signed and dated written consent before an institution may disclose personally identifiable information, other than directory information, from the student's education records.

The written consent must:

- Specify the records that may be disclosed;
- State the purpose of the disclosure; and
- Identify the party or class of parties to whom the disclosure may be made.

If the written consent is provided electronically, it must:

- Identify and authenticate the student as the source of the consent; and
- Indicate the student's approval of the information in the consent.

A copy of the disclosed records must also be provided to the eligible student if he or she requests it.

Right to File a Complaint with the Department of Education – 99.63 through 99.67

A student (or in the case of an ineligible student, the parent) may file a written complaint with the Department's Family Policy Compliance Office (Family Policy Compliance Office, U.S. Department of Education, Washington, DC 20202-4605) regarding alleged failures by the institution to comply with FERPA requirements.

The complaint must be submitted within 180 days of the alleged violation or of the date the student (or in the case of an ineligible student, the parent) knew or reasonably should have known of the alleged violation.

If the Family Policy Compliance Office initiates an investigation of the complaint, both the student (or in the case of an ineligible student, the parent) and the institution are notified in writing and the institution is given the opportunity to respond in writing to the charges.

Following its investigation, the Family Policy Compliance Office notifies both the student (or in the case of an ineligible student, the parent) and the institution in writing of its findings and the basis of its findings.