



POLICY 1.02

SUBJECT: FERPA Policy and Notice of Rights

I. PURPOSE

This policy is intended to outline the University's implementation of the Family Educational Rights and Privacy Act (FERPA).

II. REFERENCES

- A. [20 U.S. Code § 1232g](#)
 - B. [34 CFR Part 99](#)
-

III. DEFINITIONS

- A. **Directory Information:** information, as designated by the University in this policy, in an education record of a Student that would not generally be considered harmful or an invasion of privacy if disclosed.
- B. **Disclosure:** means to permit access to or the release, transfer or other communication of Personally Identifiable Information contained in Education Records by any means to any party except the party identified as the party that provided or created the record.
- C. **Education Records:** means those records, regardless of how the information is recorded, that directly relate to a Student and are maintained by this University or by a party acting for this University. However, it does not include:
 - a. Records kept in the sole possession of the maker, that are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
 - b. Records of KCU Security that are created by KCU Security for law enforcement purposes and maintained solely by KCU Security;
 - c. Records relating to an individual who is employed by the University (except if the individual is a Student employed as a result of his or her status as a Student) that are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee, and are not available for any other purpose;
 - d. Records on a Student 18 years of age or older made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity so long as the records are made, maintained or used only in connection with treatment of the Student and are disclosed only to individuals providing treatment;



POLICY 1.02

SUBJECT: FERPA Policy and Notice of Rights

- e. Records created or received by this University after the Student is no longer in attendance and are not directly related to the individual's attendance as a Student.
 - f. Grades on peer-graded work before they are collected and recorded by faculty.
 - D. **Personally Identifiable Information (PII):** includes, but is not limited to: the Student's name; name of parents or other family members; address; a personal identifier; other indirect identifiers (e.g., date and place of birth or mother's maiden name); other information that, alone, or in combination, is linked or linkable to a specific Student and would allow a reasonable person who does not have personal knowledge of the relevant circumstances to identify the Student with reasonable certainty; or information requested by a person who the University reasonably believes knows the identity of the Student to whom the Education Record relates.
 - E. **Student:** Anyone who is or has been registered for one or more courses on the first day of the term of their program of study, regardless of the start date and time of their first class on their course schedule.
 - F. **Privacy Hold:** a designation Students place on their Education Record to opt out of any Disclosure of their Directory Information except as permitted by FERPA. Only currently enrolled Students may add a privacy hold.
-

IV. POLICY

- A. **The right to inspect and review Education Records.**
 - a. Students have the right to inspect and review their Education Records within 45 days of the date the University receives a request for access. Students wishing to review his or her Education Records shall submit to the Registrar a signed and dated written request that identifies the specific record(s) they wish to inspect. The Registrar will arrange for access and notify the Student of the time and place where the records may be inspected. If the Registrar does not maintain the records, the Registrar will forward the Student's request to the office where the records are maintained to facilitate the Student's inspection either with the Registrar or with the office.
 - b. Inspection rights do not extend to (1) financial records, including any information those records contain, of the Student's parents (2) confidential letters and statements of recommendation placed in a Student's Education Records if the Student has waived his or her right to inspect and review, and the letters are related to admission to an educational institution, application for employment, or receipt of an honor or recognition, or (3) information that is excluded from the definition of "Education Records."
 - c. If, in the University's judgment, circumstances effectively prevent the Student from exercising this right to inspect and review his or her Education Records, the University will either provide the Student with a copy of the requested records or make other arrangements for the Student to inspect and review them.
 - d. The University will not charge a fee to search for or to retrieve a Student's Education Records but may charge a fee for a copy of those records, unless doing so would in some way effectively prevent the Student from exercising this right.



POLICY 1.02

SUBJECT: FERPA Policy and Notice of Rights

B. The right to seek an amendment of the Student's Education Records.

- a. A Student may seek an amendment to that Student's Education Records on the basis that the record is inaccurate, misleading, or a violation of the Student's privacy rights by contacting the Registrar.
- b. The Registrar will instruct the Student on the appropriate process for requesting amendment, and provide the University's decision within a reasonable time after receiving the request.

C. The right to a hearing regarding the request for an amendment.

- a. If the University decides not to amend the record as requested by the Student, it will notify the Student of that decision and advise the Student of his or her right to a hearing regarding the request for amendment. Students may request a hearing within three (3) days of receiving this notice by sending their reasons for challenging the denial of amendment to the Registrar. Additional information regarding the hearing procedures will be provided to the Student when notified of this right.
- b. The Registrar or hearing officer, as applicable, has discretion to adjust the hearing procedures or add detail to ensure substantial fairness to participants in the hearing process.
- c. The right to a hearing extends only to claims regarding factual accuracy of Education Records, and does not extend to complaints about academic judgments or other matters (e.g., grades, opinions, evaluations, or access to privileged material). A request for hearing on any ground other than factual accuracy of Education Records will be denied under this policy.
- d. If, as a result of the hearing, the University decides that an amendment is warranted, it will notify the Student in writing and amend the record accordingly.
- e. If, as a result of the hearing, the University decides that an amendment is not warranted, it will inform the Student of the right to place a statement in the record commenting on the contested information or stating why he or she disagrees with the decision of the University not to make the amendment, or both. Any such statement placed in the Student's Education Record will be maintained with the contested part of the record for as long as the record is maintained, and it will be disclosed whenever the University discloses the portion of that record to which the statement relates.

D. Disclosure of Student's Personally Identifiable Information.

- a. Unless authorized by one of the FERPA exceptions, the University must obtain the signed and dated written consent of a Student before disclosing PII contained in the Student's Education Records. A valid consent must specify (1) the records to be disclosed, (2) the purpose of the Disclosure, and (3) the party or class of parties to whom Disclosure may be made.
- b. The various circumstances under which FERPA permits the University, within its discretion, to Disclose a Student's PII without his or her consent include, but are not limited to, the following:
 - i. Disclosure of information designated as Directory Information, as described section IV.E
 - ii. Disclosure to a school official with legitimate educational interest. A school official is a (1) person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff), (2) a person serving on the University's governing board, (3) a Student serving on an



POLICY 1.02

SUBJECT: FERPA Policy and Notice of Rights

official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks, or (4) a contractor, consultant, volunteer or other party (such as an attorney, auditor, or collection agent) to whom the University has outsourced University services or functions that it would otherwise use employees to perform, provided that this outside party is under the direct control of the University with respect to the use, maintenance, and redisclosure of Education Records. 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 the University.

- iii. Disclosure to persons in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the Student or other individuals. When determining whether an articulable and significant threat to health or safety exists, the University may consider the totality of the circumstances.
- iv. Disclosure to a parent when (1) the parent provides documentation that the Student is a dependent pursuant to Section 152 of the Internal Revenue Code of 1986 and notice is given to the Student that a parent has requested such information, or (2) the Student is under 21 at the time of the Disclosure and the University has determined that the Student has committed a disciplinary violation of any law or University policy governing the use or possession of alcohol or a controlled substance.
- v. Disclosure to officials of other institutions in which a Student seeks to enroll or has enrolled, but only for purposes related to the Student's enrollment.
- vi. Disclosure to persons in connection with financial aid for which the Student has applied or received, and only as necessary to determine eligibility, amounts, conditions, or to enforce conditions of the financial aid.
- vii. Disclosure to accrediting agencies carrying out their accreditation function.
- viii. Disclosure in compliance with a judicial order or lawfully issued subpoena. The University will not disclose a Student's Education Record without first making a reasonable effort to notify the Student of the order or subpoena, unless notice is prohibited by the order or subpoena.
- ix. Disclosure to organizations conducting studies for the University to develop, validate, or administer predictive tests, administer Student aid programs, or improve instruction.
- x. Any other disclosure permitted by law.

The Office of the Registrar will document certain third-party requests for disclosures and actual disclosures of PII to certain third parties, as required by law. Documentation excludes disclosures to (1) an authorized parent or Student, (2) a school official, (3) a person with written consent of the Student, (4) a person seeking Directory Information, and (5) a person seeking records pursuant to a subpoena or court order. Students may inspect this documentation by submitting a written request to the Registrar. The University will maintain this documentation as long as it maintains the Student's Education Records.

E. The right to opt out of the Disclosure of Directory Information.



POLICY 1.02

SUBJECT: FERPA Policy and Notice of Rights

- a. Pursuant to FERPA, the University has designated the following PII as Directory Information, which may be Disclosed without the Student's consent:
 - i. the Student's name;
 - ii. Student's photo and video;
 - iii. Student ID, user ID, or other unique personal identifier that is displayed on a Student ID;
 - iv. city and state of residence;
 - v. telephone number;
 - vi. institutional e-mail address;
 - vii. date of birth;
 - viii. program of study;
 - ix. dates of attendance;
 - x. enrollment status;
 - xi. participation in officially recognized activities;
 - xii. degrees, honors and awards received;
 - xiii. most recent previous educational agency or institution attended by the Student; and
 - xiv. the location, training institution and medical specialty identified for postdoctoral education.
- b. The University will limit Directory Information Disclosures to those situations in which the University believes the release would advance the Student's career interests or would advance the interests or reputation of the University. Such releases may include Disclosure of Directory Information to prospective employers, financial aid, and scholarship agencies; Disclosure to registry, licensure, or certification services; Disclosure in connection with University-sanctioned alumni affairs; or Disclosure in recognition of a Student's academic or extracurricular achievement.
- c. A Student may not use his or her right to opt out of Directory Information disclosures to prevent school officials from identifying the Student by name or disclosing the Student's electronic identifier or institutional e-mail address in classroom- or clinical-learning settings.
- d. Students who wish to opt out of the release of their Directory Information must notify the Registrar in writing (also known as placing a Privacy Hold). Students are advised to opt out of releasing their Directory Information during the first ten



POLICY 1.02

SUBJECT: FERPA Policy and Notice of Rights

(10) academic days of each academic term to ensure their decision is timely communicated to relevant departments. Upon receipt of such a request, the Registrar will designate the Student's Directory Information as confidential and not to be released except as permitted by FERPA.

F. Notification & Training

- a. KCU employees must complete FERPA training when required by the University or a supervisor. Currently enrolled Students are notified annually of their rights under FERPA, which can be found on [myKCU](#).

G. Response to FERPA Violations

- a. Violations of this Policy may result in disciplinary action up to and including termination.

V. RELEVANT FORMS/LINKS

<https://studentprivacy.ed.gov/ferpa>

[Annual FERPA Notice](#)

[FERPA One Time Release Form](#)

VI. QUESTIONS/RESPONSIBLE OFFICE

The office responsible for this Policy is: the Registrar's Office.
For questions about FERPA, contact registrar@kansascity.edu.

VII. POLICY ADOPTION AND AMENDMENT DATES

- A. **Last Revised:** 3/20/2025