

UNIFICATION THEOLOGICAL SEMINARY INSTITUTIONAL FERPA POLICY STATEMENT

This policy defines the procedures available to students to give them appropriate access to personal records while protecting their confidentiality.

1. A statement concerning the FERPA rights of students is permanently posted on the academic bulletin board.
2. A person is considered a student when he/she registered for courses and attended the first day of classes.
3. Students may inspect and review their education records upon request. They should submit a written request to the custodian of the record, which identifies as precisely as possible the record(s) he/she wants to inspect. The student will be informed about time and place where to inspect the records, within 45 days of the request.

The following is a list of the types of records that UTS maintains, their location and their custodians.

Types	Location	Custodian
Admission Records	Admissions Office	Dean of Enrollment Management
Academic Records	Academic Administration Office	Senior Associate Dean
Disciplinary Records	Academic Administration Office	Registrar
Health Records	Academic Administration Office	Registrar
Financial Aid Records	Academic Administration Office	Financial Aid Director
Financial Records	Finance Office	Bursar
Immigration Records	Academic Administration Office	Primary Designated School Official (PDSO)

4. UTS reserves the right to refuse a student to inspect the following records:
 - a. The financial statements of the student's parents.
 - b. Letters and statements of recommendation for which the student has waived the right of access.
 - c. Those records which are excluded from the FERPA definition of education records.
5. UTS reserves the right to deny copies of transcripts or other records in any of the following situations:
 - a. The student has an unpaid financial obligation to UTS.
 - b. There is an unresolved disciplinary action against the student.
6. UTS will disclose information from student's education record only with the written consent of the student, **except**:
 - a. To school officials who have a legitimate educational interest in the records. School officials are:
 - The founders, Rev. and Mrs. Moon.
 - Persons employed by UTS in an administrative, supervisory, academic, or support staff position.

- Persons elected to the Board of Trustees.
- Persons employed by or under contract to UTS to perform a special task, such as an attorney or auditor.
- Students serving on an official committee or assisting other school officials in performing his/her tasks.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement.
 - Performing a task related to a student's education or placement.
 - Performing a task related to the discipline of a student.
- b. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.
 - c. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
 - d. If required by a state law requiring disclosure that was adopted before November 19, 1974.
 - e. To organizations conducting certain studies for or on behalf of UTS.
 - f. To accrediting organizations to carry out their functions.
 - g. To parents who claim the student as a dependent for income tax purposes.
 - h. To comply with a judicial order or a lawfully issued subpoena.
 - i. To appropriate parties in a health or safety emergency.
 - j. To an alleged victim of any crime of violence or the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.
 - k. Upon request, UTS may also disclose education records without consent to officials of another school in which a student seeks or intends to enroll.
7. UTS will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the student.
 8. UTS designated the following items as Directory Information: student name, address, telephone number, e-mail address, place of birth, sex, marital status, photographic, video or electronic images, dates of attendance, cumulative credits earned, degree program, Thesis and Dissertation titles, honors received (including Dean's list), membership in honor societies, degrees received, previous school(s) attended and degree(s) received, and student's academic advisor.

UTS may disclose any of those items without prior written consent, unless notified in writing by the student.
 9. Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

- a. A student must ask the appropriate custodian to amend a record. In so doing, the student should identify the part of the record he/she wants changed and specify why he/she wants the change.
- b. UTS may or may not comply with the request. If it decides not to comply the student will be notified of the decision and be advised of his/her right to a hearing.
- c. Upon request, UTS will arrange for a hearing.
- d. The hearing will be conducted by a hearing officer who is a disinterested party, but who may be an official of UTS. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
- e. UTS will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- f. If UTS decides that the challenged information will not be changed, it will notify the student that he/she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
- g. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If UTS discloses the contested portion of the record, it must also disclose the statement.
- h. If UTS decides to change the challenged information, it will amend the record and notify the student, in writing, that the record has been amended.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which education records and personally identifiable information contained in such records — including Social Security Number, grades, or other private information — may be accessed without 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 records and PII without the consent of the student 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 education records and PII without consent to researchers performing certain types of studies, in certain cases even when UTS objects to or does 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 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 the student's consent PII from education records, and they may track participation in education and other programs by linking such PII to other personal information about the student 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.

NOTIFICATION OF RIGHTS UNDER FERPA

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

1. The right to inspect and review the student's education records within 45 days of the day UTS receives a request for access. Students should submit a written request that identifies the record(s) they wish to inspect to the appropriate official. The 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 education records that the student believes are inaccurate or misleading, or otherwise in violation of the student's privacy rights under FERPA. Students may ask UTS to amend a record by writing to the official responsible for the record, clearly identifying the part they want changed, and specifying why it should be changed. If UTS decides not to amend the record, the student will be notified in writing of the decision and advised of his/her right to a hearing. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before UTS discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. UTS discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. School officials are persons employed by UTS in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); the founders; members of the Board of Trustees; or students serving on an official committee. A school official also may include a volunteer or contractor outside of UTS who performs an institutional service of 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 or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibilities for UTS. Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by UTS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Students can obtain a copy of the complete policy from the Registrar.