

CENTUREON INSTITUTE

The School of the People®

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Family Educational Rights and Privacy Act

Centureon Institute has implemented an extensive Family Educational Rights and Privacy Act policy which is available upon request to any qualifying student. Students can also read the FERPA laws, frequently asked questions, and major opinions of the United States Department of Education's Family Policy Compliance Office (FPCO) and other information regarding FERPA at the following website:

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=ft>

General Policy

The Family Educational Rights and Privacy Act (the Act) is a federal statute that protects the privacy of student education records (20 U.S.C. 1232g; 34 CFR Part 99). The statute applies to all schools that receive monies from a US Department of Education program. The Act grants parents' certain rights regarding their children's educational records. These rights are transferred to the student when they reach the age of 18 or enroll in a school after high school. Students who have had their rights transferred to them are referred to as "eligible students." Parents or qualified students have the right to access and evaluate their child's educational records kept by the school. Schools are not compelled to disclose copies of records unless it is impractical for parents or eligible students to access the documents for reasons such as large distances. Parents or qualified students can ask a school to rectify records that they feel are inaccurate or misleading. If the school refuses to update the record, the parent or qualified student may request a formal hearing. If the school does not change the record after the hearing, the parent or qualified student has the right to include a statement with the record outlining his or her thoughts on the challenged facts.

Educational Records

Education records are school-maintained records that contain information directly related to the student. Examples are the student's academic, financial aid, and career services files. Education records can be kept in electronic form. Only those with a valid administrative or academic interest are permitted to view educational records. FERPA normally does not oblige schools to give an eligible student with access to academic calendars, course syllabi, or general communications such as announcements of specific events or extra-curricular activities. That sort of information is hardly directly tied to a specific student and therefore does not fit the criteria of an education record.

In addition, the following records are exempt from the Act:

- The financial records of the student's parents.
- Information about other students.
- Confidential letters of recommendation to which the student has waived his or her right to inspect.
- Employment records of students who are employed by Florida Education Institute.
- Records created or received after an individual is no longer a student and do not directly relate to the individual's attendance as a student at Florida Education Institute.
- Grades on peer-graded papers not collected and recorded by an instructor.
- Records about students are made by, and only accessible to, faculty and administrative personnel.

Review of Records

Centureon Institute's policy is to examine education records on a regular basis to ensure that they do not include material that is misleading, incorrect, or otherwise improper. Centureon Institute reserves the right to destroy records that it deems, in its sole discretion, are no longer helpful or relevant to the student's circumstances and that Centureon is not legally required to maintain.

Request for Amendment of Records:

The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask Centureon Institute to amend a record should write the school official responsible for the record, clearly identify the part of the record the student would like changed and specify why it should be changed. If Centureon Institute 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.

Directory Information

Directory Information refers to information included in a student's education record that, if revealed, would not be deemed damaging or a violation of privacy.

Directory Information includes, but is not limited to:

The student's name, address(es), telephone number(s), date and place of birth, program in which enrolled, extracurricular activities, credentials, awards and recognition (i.e., honors) received, last school attended, dates of attendance (i.e. enrollment periods, not daily attendance records), and student or user ID number (other than social security number), but only if the identifier cannot be used to gain access to education records unless used in conjunction with the identifier.

Unless the student has explicitly asked in writing that the information not be published, directory information may be released unconditionally without the student's permission.

Release Without Student Consent

Emergency Disclosure of Information:

In an emergency, FERPA permits school officials to disclose without student consent education records, including personally identifiable information from those records, to protect the health or safety of students

or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. See 34 CFR § 99.31(a)(10) and § 99.36. This exception to FERPA's general consent rule is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student's education records. In addition, the Department interprets FERPA to permit institutions to disclose information from education records to parents if a health or safety emergency involves their child.

The school may release a student's education records without written consent of the student to:

- 1.** Other school officials who have a legitimate educational interest.
 - 2.** Other schools where the student has applied for admission.
 - 3.** Authorized representatives of the U.S. Department of Education, state and/or local education authorities, the Comptroller General of the United States, or the Attorney General of the United States.
 - 4.** Providers of financial aid (and services in connection therewith) for which the student has applied or received, including, without limitation, lenders, guaranty agencies, Veterans Administration, state vocational rehabilitation agencies, and collection agencies.
 - 5.** State and local authorities where required.
 - 6.** Accrediting agencies.
 - 7.** A parent (whether a maternal parent, guardian, or an individual acting as a parent in the absence of a parent or guardian) of a student who is a dependent of the parent for purposes of the Internal Revenue Code (the school is not required, however, to release such records).
 - 8.** Any court in which the student or a parent of the student initiates a legal action against the school, but only with respect to the student's education records that are necessary for the school to defend itself.
 - 9.** Any court in which the school initiates a legal action against the student or a parent of the student, but only with respect to the student's education records that are relevant for the school to prosecute the legal action.
 - 10.** Any person pursuant to and in compliance with a judicial order or subpoena provided that a reasonable attempt is made to notify the student prior to compliance (unless the order or subpoena specifies that the student must not be notified).
 - 11.** Appropriate persons or agencies in the event of a health or safety emergency.
 - 12.** Organizations conducting studies to develop, validate and administer predictive tests, to administer student aid programs, or to improve instruction.
 - 13.** The public, if the school determines in its discretion, that the student as an alleged perpetrator has committed a Crime of Violence or a Non-forcible Sex Offense in violation of the Conduct policies of the school, but only the following information from the student's education records: the student's name, the violation committed, and any sanction imposed by the school on the student.
- A crime of violence means an act that would, if proven, constitute any of the following offenses

or offenses to commit the following offenses: arson; assault offenses; burglary; criminal homicide, whether manslaughter by negligence, murder or non-negligent manslaughter; the destruction, damage or vandalism of property; kidnapping or abduction; robbery; or forcible sex offense. A non-forcible sex offense means an act that would, if proven, constitute statutory rape or incest.

14. The purported victim regardless of whether the school determines that the student, as an alleged perpetrator, committed a Crime of Violence or Non-forcible Sex Offense in violation of the Conduct policies of the school, but only the following information from the student's education records: the student's name, the violation committed, and any sanction imposed by the school on the student.

15. Any person, if the education records disclosed are Directory Information on the student.

16. The student or the student's parents if the student is less than 18 years old.

17. A parent of the student regarding the student's violation of any federal, state or local law, or any rule or policy of the school concerning the use or possession of alcohol or a controlled substance, if the student is under the age of 21 and the school has determined that the student has violated the Conduct policies of the school with respect to that use or possession.

18. The United States Attorney General (or designee not lower than an Assistant Attorney General) pursuant to an ex parte court order concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b (g) (5) (B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331.

19. The public, if the disclosure concerns an individual required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the school under 42 U.S.C. 14071 and applicable federal guidelines.

Disciplinary Records Disclosure:

While disciplinary records are protected as education records under FERPA, there are certain circumstances in which disciplinary records may be disclosed without the student's consent. A postsecondary institution may disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed. An institution may disclose to anyone—not just the victim—the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies. See 34 CFR §§99.31(a)(13) and (14).

Complaint Procedures

Right to File a Complaint:

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the institution to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is the Family Policy Compliance Office. FPCO is available to respond to questions regarding this guidance. You may e-mail questions to FERPA@ed.gov or call FPCO at 202-260-3887. You also may write to FPCO at the following address: Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-8520 Additional information and guidance on FERPA is available on FPCO's Web site at: www.ed.gov/fpc.

Complaint Policy

Clery Act Disclosures:

In addition to the actions described above, The Clery Act requires, and FERPA permits, postsecondary institutions to inform the complainant of the institution's final determination and any disciplinary sanctions imposed on the perpetrator in sexual violence cases (as opposed to all harassment and misconduct covered by Title IX) not just those sanctions that directly relate to the complainant. See 20 U.S.C. §1092(f) and 20 U.S.C. §1232g(b)(6)(A).

By incorporating this provision, Centureon Institute ensures compliance with both FERPA and the Clery Act, offering transparency and support to victims of sexual violence while upholding student privacy rights.