September 2 2026

ANNUAL NOTIFICATION

The Family Educational Rights and Privacy Act (FERPA), is a federal law that affords eligible students attending post-secondary institutions certain rights with respect to their education records.

- An **"eligible student"** under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.
- An **"Education Record"** is defined as a record that is directly related to a student and is maintained by Nassau Community College.

Students' FERPA rights include:

- **The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.**
    - A student should submit a written request to the Office of the Registrar that identifies the record(s) the student wishes to inspect. A College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the particular records are not maintained by the Office of the Registrar, the College official responding to the request shall advise the student of the correct Department and individual within the College to whom the request should be addressed.

- **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 the College to amend a record should write to the College 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 College decides not to amend the record as requested, the College will notify the student in writing of the decision and of 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 the student is notified of the right to a hearing.

- **The right to provide written consent before the College discloses personally identifiable information ("PII") from the student's education records, except to the extent that FERPA authorizes disclosure without consent, as described below in the section entitled "Permissible Disclosures".**

- **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the 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

Additional information about the Family Educational Rights and Privacy Act may be obtained on the United States Department of Education website:
http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html

Permissible Disclosures

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures.

Under FERPA regulations, the College may disclose Personally Identifiable Information (PII) from students' education records **without** students' consent in the following situations:

- The College discloses education records without a student's prior written consent to ***school officials with legitimate educational interests***. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including Public Safety and Health Office personnel); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a College service provider who performs an institutional service or function for which the College would otherwise use its own employees, and who is under the direct control of the College with respect to the use and maintenance of students' PII from education records. A school official has a "legitimate educational interest" if the official needs to review an education record in order to carry out his or her professional responsibilities for the College.

- Upon request, the College also discloses education records without the student's consent to officials of another school in which a student seeks or intends to enroll, or where the student is already enrolled, as long as the disclosure is for the purposes related to the student's transfer or enrollment in such institution.

- Disclosure to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state/local educational authorities. Disclosures under this provision may be made in connection with an audit or evaluation of Federal or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements related to those programs. These entities may make further disclosures of Personally Identifiable Information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

- Disclosure to organizations conducting studies for, or on behalf of, the College, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.

- Disclosure to accrediting organizations to carry out their accrediting functions.

- Disclosure is in connection with a student's application for, and receipt of, financial aid, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of such aid.

- Disclosure is to comply with a judicial order or lawfully issued subpoena.

- Disclosure is to parents of dependent students, as defined by the Internal Revenue Code of 1986, Section 152. (While FERPA permits disclosure of records to parents of dependent students without student consent, it does not require such disclosure. The parent must provide a copy of their most recent federal income tax return establishing the student's dependency. Full rights under the Act shall be given to either parent, unless the College has been provided with evidence that there is a court order, or other legally binding document relating to such matters as divorce, separation or custody that specifically revokes those rights.)

- Disclosure is to appropriate parties in the event of a health or safety emergency.

- Disclosure is to a victim of a crime of violence or a non-forcible sex offense when such disclosure is of the final results of any disciplinary proceedings conducted by the College against the alleged perpetrator of such crime or offense.

- Disclosure to the general public of the final results of a disciplinary proceeding, if the College determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the College's Code of Conduct with respect to the allegation made against him or her.

- Disclosure is to the student's parent about the student's violation of any Federal, State or local law, or any policy of the College which governs the use and possession of drugs or alcohol, but only if the student is under 21 years of age.

- Disclosure of information the College has designated as "Directory information", as more particularly described below.

DIRECTORY INFORMATION

FERPA requires that the College, with the exceptions outlined above, obtain a student's written consent prior to disclosing to a third party any personally identifiable information about that student. However, the College may disclose information designated as "Directory Information" without prior written consent of the student. Directory Information is generally considered information that is not harmful or an invasion of privacy if released.

Nassau Community College has designated the following items as **Directory Information**:

- a student's name,
- student's ID number ("N Number")
- student's college email address
- mailing address,
- major field of study,
- enrollment status (full-time/part-time),
- dates of attendance,
- degrees being pursued,
- participation in College sports and/or activities,

- photographs,
- weight and height of members of athletic teams, and
- degrees, honors and awards received.

The main purpose of designating the above information as Directory Information is to permit the College to include this information in certain publications, such as: listing your name on the graduation program, submitting your awards and accomplishments for publication in a local newspaper, or printing your name in a playbill should you participate in a theater production on campus. Requests by outside parties for Student Directory Information will be considered on an individual basis by the Registrar's Office. The College takes very seriously its responsibility to safeguard the privacy of our students. As such, the College does not release any Directory Information to individuals or organizations seeking to conduct solicitations or fund-raising activities. Therefore, most requests for Directory Information of all students (or categories of students) will be denied.

The College may disclose a student's Directory Information without obtaining the student's written consent, **unless** the student has submitted a written "opt-out" request to the **Office of the Registrar** not to release any Directory Information pertaining to them, by following the instructions below. Please note that submitting an "opt-out" request will not prevent the College from requiring students to display or disclose their ID card with their N number printed on it when engaging in College-related activities and transactions.

NEGATIVE CONSEQUENCES OF OPTING OUT: Students who choose to restrict access to their Directory Information should be aware that doing so may result in unintended negative consequences. For example, organizations such as potential employers, scholarship agencies, members of the press, loan agencies, educational organizations and others will not be given access to the student's Directory Information, and will not be able to contact the student. Opting out of Directory Information classification may mean that you will miss out on valuable employment, educational, cultural and other opportunities.

Beau's Law and FERPA Notification Policy

In accordance with FERPA and New York State Education Law §6438-d (Beau's Law), the College maintains a procedure regarding the notification of a student's parent(s), guardian(s), or designated emergency contact(s) when a student under the age of 21 is involved in certain alcohol or controlled substance-related violations or incidents.

Notification decisions are discretionary and made on a case-by-case basis by authorized College officials after considering the totality of circumstances. Factors considered may include the nature and severity of the incident, whether there is a significant health or safety concern, whether the incident involved hospitalization, overdose, or emergency medical intervention, whether there is evidence of repeated or escalating behavior, the student's prior conduct history, and the student's welfare and support needs of the College and the State University of New York.

This procedure is designed to promote student health, safety, and well-being, ensure transparency, and support appropriate intervention during serious incidents.

FERPA-RELATED FORMS:

1. Students seeking to opt out of the release of any of their Directory Information by the College may complete the "Directory Information Opt-Out Form" and bring it in person to the Registrar's Office, located in the Student Services Building.

2. Students seeking to authorize a third party to have access to their education records may complete the "Record Release Form" and bring it in person to the Registrar's Office located in the Student Services Center.

3. Questions related to the Annual Notification should be directed to Chester Barkan, FERPA Compliance Officer.

NOTE: Each of the two FERPA-related forms are available in hard copy and may be filled out by the students in person at the Office of the Registrar during regular business hours. Fillable PDF versions of the forms are also available on the Registrar's Website

In addition to the forms, the FERPA Webpage located on the Registrar's Website has a lot of good information regarding the Family Education Rights & Privacy Act.

Questions regarding the Family Education Riights and Privacy Act should be directed to Mr. Chester N. Barkan, FERPA Compliance Officer.