

## **Notification of Disclosure of Directory Information**

- a. FERPA permits the CCSNH and its colleges to disclose certain information about students without consent. The CCSNH and its colleges have designated the following information as Directory Information:
  1. Student name;
  2. Address;
  3. Telephone listing;
  4. CCSNH electronic mail address;
  5. Major field of study;
  6. Enrollment status (full-time/part-time);
  7. Dates of attendance;
  8. Participation in officially recognized activities and athletic team;
  9. Height of athletic team members only;
  10. Degrees, honors, and awards received; and
  11. Most recent educational agency or institution attended.
- b. Students may restrict the release of directory information to third parties. A student who does not want CCSNH or its college to disclose Directory Information must notify their College's Registrar Office to opt out of the release/disclosure of directory information.
- c. The request to opt out of the release/disclosure of directory information will result in the student's record being marked as confidential, which will bar CCSNH and its college from responding to any requests for information about the student except as otherwise permitted or required under FERPA.
- d. CCSNH and its colleges shall continue to honor any valid request to opt out (restrict) of the release/disclosure of directory information made while the student was in attendance unless the student rescinds the opt out request.

## **Exceptions to Requirement to Obtain Prior Written Consent to Disclose Education Records**

- a. FERPA permits the disclosure of PII from students' education records without consent if the disclosure meets certain conditions specified in the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders and lawfully issued subpoenas, disclosures of Directory Information, and disclosures to the student, the FERPA regulations require CCSNH and its college to maintain a record of disclosures of education records, and eligible students have the right to inspect the record of disclosures.
- b. FERPA permits CCSNH and its colleges to disclose education records without a student's prior consent as follows:
  1. To school officials with legitimate educational interests in reviewing a student's education record in order to fulfill their work responsibilities. Such school officials typically include: (a) a person employed by CCSNH and its colleges in an administrative, supervisory, academic, research, or support

staff position (including campus security and health care staff); (b) a student serving on an official committee, such as a disciplinary or grievance committee; or (c) a volunteer or contractor outside of CCSNH/Member College who performs an institutional service or function for which CCSNH/Member College would otherwise use its own employees, and who is under the direct control of CCSNH or one of its colleges with respect to the use and maintenance of PII from education records (such as an attorney, auditor, collection agent, or technology vendor).

2. Upon request, CCSNH and its colleges shall disclose education records without consent to officials of another school in which the student seeks or intends to enroll.
3. To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state or local educational authorities. Disclosures 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 disclosure of PII 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.
4. In connection with financial aid the student has applied for or received, if the information is necessary to determine eligibility for the aid, the amount of the aid, the conditions of the aid, or enforce the terms and conditions of the aid.
5. To organizations conducting studies for, or on behalf of CCSNH/Member Colleges, in order to (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
6. To accrediting organizations to carry out their accrediting functions.
7. To comply with a judicial order or lawfully issued subpoena.
8. To appropriate individuals in connection with a health or safety emergency, subject to requirements in the FERPA regulations.
9. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to requirements in the FERPA regulations. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
10. To the general public, the final results of a disciplinary proceeding, subject to requirements in the FERPA regulations, if CCSNH/Member College determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of CCSNH/Member College policies/rules with respect to the allegation made against them.
11. Upon request, CCSNH and its colleges may disclose education records to

parent(s) or guardian(s) without consent of the eligible student, if the student is a dependent for tax purposes under the IRS rules. The Internal Revenue Service has determined that a qualifying student must be younger than the taxpayer (or spouse if married filing jointly) and be under the age of 19 or be under the age of 24 and a full-time student for at least five months of the year.

12. To parent(s) or guardian(s) of a student under the age of 21 regarding the student's violation of any federal, state, or local law, or any policy/rule of CCSNH/Member College governing the use or possession of alcohol or a controlled substance if CCSNH/Member College determines the student committed a disciplinary violation.

## **Parent/Guardians**

- a. Generally, when a student reaches the age of 18, is no longer a "dependent" of the parent(s) or guardian(s) for federal income tax purposes, and attends a postsecondary institution, regardless of age, FERPA rights belong to the student. Prior written consent from the student is required before a CCSNH college can disclose information from a student's education record to a parent or guardian outside of the exceptions noted in Section VI above.

## **Complaints**

- a. The U.S. Department of Education maintains an office that addresses complaints that educational institutions may have violated FERPA. More information about the complaint process can be obtained here:

U.S. Department of Education  
Student Privacy Policy Office  
400 Maryland Ave, SW  
Washington, DC 20202-8520  
[FERPA.Complaints@ed.gov](mailto:FERPA.Complaints@ed.gov)  
<https://studentprivacy.ed.gov/file-a-complaint>

## **Notification of Directory Information Opt-out**

Currently enrolled students have the opportunity to withhold disclosure of information under the Family Educational Rights and Privacy Act. As such, the College is not obligated to honor requests for non-disclosure of Directory Information from former students. To withhold disclosure, complete the FERPA Directory Information Opt-out form available at <http://www.nashuacc.edu/images/PDF/directory-info-opt-out.pdf> as written notification must be received by the Registrar's Office.

The effects of your decision to request confidential status are:

- If you restrict the release of directory information, your name will not appear on the Dean's/President's List or Graduation Honors List released to newspapers.
- Information that you are here as a student will be suppressed, so that if a Loan Company, Prospective Employer, etc., inquire about you, the request for information will be denied.

Once you have designated a confidential classification, it will not be removed until you submit a signed authorization requesting its removal.

See the list below of the disclosures that the College may make without consent.

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. The College may disclose PII from the education records without obtaining prior written consent of the student –

- To other school officials, including teachers, within the Community College System of NH/Nashua Community College whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the Community College System of NH/Nashua Community College State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, 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 that relate to those programs. These entities may make further disclosures of PII 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. (§§99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, 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 the aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines 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 school's rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))