

## Notification of Rights under FERPA and the MGDPA for Dakota County Technical College

The Family Educational Rights and Privacy Act (FERPA) and Minnesota Government Data Practices Act (MGDPA) afford eligible students certain rights with respect to their education records. (An “eligible student” is a student or applicant at a system college or university.) These rights include:

1. The right to inspect and review the student's education records within 10 days after the day Dakota County Technical College receives a request for access. A student should submit to the registrar, a written request that identifies the record(s) the student wishes to inspect. The school 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 is inaccurate, incomplete, misleading, or otherwise in violation of the student’s privacy rights under FERPA or the MGDPA.

A student who wishes to ask the school to amend a record should write the school 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 school 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 or to file a complaint with the Minnesota Commissioner of Administration.

3. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The school discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Dakota County Technical College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); 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 volunteer or contractor outside of Dakota County Technical College who performs an institutional service or 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 or her professional responsibilities for the Dakota County Technical College.

Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [Note: this provision important for system colleges and universities to share education records for transferring students; without it, the school must make a reasonable attempt to notify each student of these disclosures.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Dakota County Technical 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