

# STUDENTS RIGHTS AND GRIEVANCE POLICIES AND PROCEDURES

## FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.
  - a. Students should submit to the registrar, dean, head of the academic department, Vice President, or other appropriate Official, written requests that identify the record(s) they wish to inspect. The University 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 University 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.
  - a. Students may ask the University to amend a record that they believe is inaccurate or misleading. The student should write the University official responsible for the records, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
  - b. If the University decides not to amend the record as requested by the student, the University will notify the student in writing of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student in writing when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
  - a. Disclosure without consent to University officials with legitimate educational interests is permitted. A University official is defined as a person employed by the University in an administrative, supervisory, academic or research, or support staff position such as Campus Safety, Counseling Center, or Health Center personnel; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
  - b. 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 responsibility.
  - c. Other exceptions that permit disclosure without consent are:
    - i. To authorized representatives of the Comptroller General of the United States; the Attorney General of the United States (for law enforcement purposes); the Secretary of the Department of Education of the United States; and state and local educational authorities.
    - ii. To parents of dependent students, as defined in section 152 of the Internal Revenue Code of 1986.
    - iii. To a parent or a legal guardian in connection with a health or safety emergency.
    - iv. To a parent or a legal guardian of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the student is under the age of 21 and the institution determines that the student has committed a disciplinary violation with respect to that use or possession.
    - v. If a parent or eligible student initiates legal action against the University, the University may disclose to the court, without a court order or subpoena, the student's education records that are necessary for the University to defend itself.
    - vi. The disclosure is in connection with a disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of a crime of violence.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Vanguard University 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 20202-5920

The University may release public directory information concerning students. Such information includes, but is not limited to, the student's name, address, email address, student identification number, telephone listing, date and place of birth, major field of study, dates of attendance, class level, enrollment status (e.g., undergraduate or graduate; full-time or part-time; enrolled or withdrawn), participation in officially recognized activities and sports, weight and height of members of athletic teams, photograph, degrees, honors and awards received, and the most recent educational agency or institution attended. The above designated information is subject to release by the campus at any time unless the campus has received a prior written objection from the student specifying information which the student request not be released.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expanded the circumstances under which education records and personally identifiable information (PII) contained in such records, including Social Security Number, grades, or other private information, may be accessed without the student's consent. First, Federal and State Authorities may allow access to student's records and PII without consent 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 we object to or do 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 consent PII from education records, and they may track participation in education and other programs by linking such PII to other personal information about students 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.

## GRIEVANCE RIGHTS AND PROCEDURES FOR TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

Vanguard University subscribes to the principle of equal educational opportunity, regardless of gender (cf. Title IX of the EDUCATION AMENDMENTS OF 1972). Any member of the University community who has a grievance related to this principle should petition in writing or online to the Title IX Coordinator, who will work with the petitioner for a resolution of the problem. A trained appellate board shall serve as ultimate board of appeal for such questions. Additional information is available on the university's website regarding *Title IX Policies and Procedures*.

## STUDENT ACADEMIC GRIEVANCE PROCEDURES

Students currently enrolled at Vanguard University who feel they have been unfairly dealt with in any area of the University can follow administrative procedures to address concerns and/ or complaints.

For concerns and/or complaints that pertain to academic related matters, the following procedure applies:

1. Contact the appropriate academic department chair or program director in the academic area for which the concern and/or complaint exists.
2. If the grievance is unresolved, it will escalate to the respective Division Associate Dean in which the academic department chair or program director reports.
3. If preliminary procedures fail to resolve the concern and/or complaint the student may submit an appeal in writing stating the nature of the grievance, the evidence upon which it is based, and the redress sought. The grievance can be filed on a *Vanguard University Complaint Form* and submitted to the Associate Provost or Dean for Professional and Non-Traditional Education.
4. The final decision for appeals made in all student academic matters resides with the Provost/Vice President Academic Affairs, who serves as the Chief Academic Officer of the University.

For concerns and/or complaints that pertain to non-academic related matters, which includes residential housing and student conduct, the following procedure applies:

1. Contact the appropriate Director in the department which the concern and/or complaint exists.
2. If preliminary procedures fail to resolve the concern and/or complaint the student may submit an appeal in writing stating the nature of the grievance, the evidence upon which it is based, and the redress sought. The grievance can be filed on a *Vanguard University Complaint Form*.
3. The appropriate area Vice President listed below will review and act to bring formal resolution to the stated grievance. Vice Presidential area oversight is as follows:
  - a. Vice President for Student Affairs and Campus Operations - oversees areas of Athletics, Student Affairs, Residence Life, Campus Safety, Counseling Center, Health Center, Food services, and Maintenance and Facilities services.
  - b. Vice President for Finance - oversees areas of risk and fiscal management, including the Office of Accounting Operations
  - c. Vice President for Enrollment Management - oversees areas of university admission and financial aid
4. If satisfactory action is not achieved, the final appeal may be directed to the University President.

It is expected that currently enrolled students will fully utilize any/all of the University's administrative procedures to address concerns and/or complaints in as timely a manner as possible. On occasion, however, a student may believe that these administrative procedures have not adequately addressed concerns. In those select cases, the following independent procedures are provided.

## ACADEMIC APPEAL PROCEDURE

A student seeking a variance from any stated academic policy should consult with the department of the course/policy in question. *Academic Policy Exception Request* forms are available online in the student portal (<https://www.vanguard.edu/login/>) (login required) or in the Office of the Registrar. The final appeal in all student academic matters is to the Provost, who serves as the Chief Academic Officer for the university.

