

NEW YORK FILM ACADEMY

COLLEGE OF VISUAL AND PERFORMING ARTS

FERPA Authorization Form

FERPA Definition

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that pertains to the release of and access to student education records. FERPA affords students the right to have access to their education records, the right to seek to have their records amended, and the right to have some control over the disclosure of personally-identifiable information from their education records. The law applies to all schools that receive funds under applicable programs administered by the U.S. Department of Education. In accordance with FERPA, issued by the Department of Education, the New York Film Academy (NYFA) has adopted the following policies and procedures.

What is an Educational Record?

Under FERPA, "education records" are defined as records that are directly related to a student and are maintained by an educational agency or institution, or by a party acting for the agency or institution. Education records can exist in any medium, including: typed, handwritten, digital, videotape, audiotape, film, and email, among others. Not all records are considered education records under FERPA. For example: records that are kept in the sole possession of the maker and not shared with others, certain medical treatment records, law enforcement unit records, and certain employment records. Also, records created or received after an individual is no longer a student, and which are not directly related to the individual's attendance as a student, are not considered education records under FERPA.

What is Directory Information?

In accordance with FERPA, NYFA may disclose Directory Information without a student's consent and without a record being made of these disclosures. NYFA acknowledges that some Directory Information may be considered more sensitive to some community members and therefore, will make reasonable efforts to only share Directory Information with those who have a legitimate need to obtain such information.

NYFA defines Directory Information as follows:

- Name
- E-mail address
- Major field of study
- Enrollment status
- Dates of attendance
- Degrees, certificates, and awards received
- Date of graduation
- Participation in officially recognized activities and sports
- Photographs

Students may withhold or "opt out" from Directory Information disclosure. Information on withholding or opting out of disclosing Directory Information can be found by accessing NYFA's form entitled FERPA Request to Withhold Directory Information. This form can be accessed, upon request, at the Registrar's Office. The request for confidentiality will remain in effect until the student submits a written request authorizing the release of information. The request for confidentiality applies to insurance companies, potential employers, and other third parties. Students are advised to consider carefully the impact of having directory information withheld.

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Disclosure of Education Records:

In general, NYFA may not disclose personally-identifiable information from a student's education records without the student's prior consent. Students may grant permission to access FERPA-protected records to individuals such as a parent, relative, spouse/partner etc. by indicating the individual(s) name(s) and relationship to the student in the NYFA FERPA Authorization Form.

However, FERPA allows NYFA to disclose such information under the following conditions, among others:

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies
- Custodial parents or guardians if a student, under the age of 21 at the time of notification, commits a disciplinary violation involving alcohol or a controlled substance

Inspection of Education Records:

NYFA Students have the right to inspect and review their education records. Requests to inspect records can be submitted to the Registrar's Office. NYFA does not maintain education records in any one central office but the Registrar's Office will provide contact details of the appropriate official in each office to the requesting student. Requests for access will receive a response within forty-five days and the student will be notified of the time and place where the records may be inspected.

NYFA students do not have the right to access certain records, such as:

- Confidential letters of recommendation if the student has waived the right to access in writing
- Records of NYFA faculty and staff members that are made for, and restricted to, their personal use
- Custodial parents' or guardians' financial records
- Records that also contain information on other students. Unless otherwise permitted or required by law, students may only inspect, review, or be informed of information directly related to themselves

Amending Education Records:

NYFA students have the right to have their education records maintained accurately and may request amendments of records that they believe are inaccurate, misleading, or in violation of their rights under FERPA. A student may also ask that additional material be inserted in the education record. Requests for an amendment to an education record, or the addition of material, should be submitted at the conclusion of the record review.

The reasons for the amendment request should clearly identify the part of the education record the student wants changed and specify why it is inaccurate or misleading. There is no obligation on the part of NYFA to grant such a request.

The process of amending a student's education record applies only to information that has been recorded inaccurately, incorrectly, or that violates the student's rights under FERPA. It is not a process to appeal grades or other subjective judgements with which a student disagrees but that have been recorded correctly.

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Complaint Procedure:

NYFA students have the right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education concerning alleged failures by NYFA to comply with the requirements of FERPA. Complaints must be submitted within 180 days of the date of the alleged violation or of the date that the student knew or reasonably should have known of the alleged violation and must contain specific factual allegations giving reasonable cause to believe that a violation of FERPA has occurred. Complaints may be sent to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC
20202-4605

 I understand that by signing this form, I hereby give permission to designated officials at NYFA to discuss my educational record, as described on this form, with the following individuals (examples: Parents, Guardians, Spouse, Partner):

1. Name: _____ Relationship: _____

2. Name: _____ Relationship: _____

3. Name: _____ Relationship: _____

Student's Name (please print): _____

Student's Signature: _____ **Date:** _____

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