Statement of Policy and Procedures

in Compliance with

The Family Educational Rights and Privacy Act

Rensselaer Polytechnic Institute

Troy, New York 12180

October 2015
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A. INTRODUCTION

The policy outlined in this document and procedures to implement it are designed to meet the provisions of the Family Educational Rights and Privacy Act (FERPA). Rensselaer is committed to the policy and will follow the procedures.

The President authorizes the Registrar to inform students of their rights under the policy and to commit Rensselaer's administrative resources to carry out the policy, as well as to see to it that apparent deficiencies with respect to compliance are corrected.

If a student believes that the university is violating the FERPA, he or she is entitled to initiate the internal grievance procedures described in this policy statement (see =Section K). If, following the on-campus hearing, the student continues to believe that his or her rights have been violated, a complaint may be filed with the Department of Education. The address is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

B. DEFINITIONS

For the purposes of this policy, Rensselaer has used the following definitions of terms.

Student - An individual who is receiving or has received instruction in an on or off-campus program, including any activity which is evaluated towards a grade.

The term does not apply to an individual prior to or subsequent to that individual's period of attendance at the university such as a candidate for admission or an alumnus or alumna.

Education records - Any record (in handwriting, print, tape, film, or other medium) maintained by Rensselaer, an employee of Rensselaer, or an agent of the university, which is directly related to a student, except:

1. A personal record kept by a university employee or agent which meets the following tests:
   a. It was made as a personal memory aid;
   b. It is in the sole possession of the person who made it; and,
   c. The information contained in it has never been revealed or made available to any other person except the maker's temporary substitute.

2. An employment record used only in relation to an individual's employment by Rensselaer. However, the records related to a student's employment are education records when:
   a. The position in which the student is employed depends on his or her status as a student; or,
   b. The student receives a grade or academic credit based on his or her performance as an employee.

3. Records connected with an individual's application for admission to Rensselaer prior to his or her actual attendance as an enrolled student.
4. Records which relate to an individual as an alumnus or alumna after he or she no longer attends or participates in an educational activity for which Rensselaer awards a grade or academic credit.

5. Records maintained by the Infirmary or Counseling Center used only for the provision of medical or psychiatric treatment. In order to maintain these records separate from education records, Rensselaer will impose the following conditions:
   a. No person other than physicians, psychiatrists, psychologists, or others recognized as qualified health professionals involved in treatment will have access to information contained in the records of the Infirmary and Counseling Center. However, such records may be disclosed to other persons under the procedures to meet a health and safety emergency as described in the FERPA and this policy.
   b. These records may be reviewed by a physician or other appropriate professional of the student's choice with the student's written consent.

6. Financial records of a student's parents.

7. Statements and letter of recommendation prepared by Institute officials or submitted as part of the student's admissions application process which became a part of the student's records prior to January 1, 1975, or for which the student has waived his or her right to access in writing, except in cases in which these statements or letters have been used for any purpose other than that for which they were originally prepared. Students who waive these rights may be informed of the names of all persons who have made such statements or recommendations.

Personal Identifier: Any data or information that relates a record to an individual student. This includes name, the name of parents or other family members, address, social security number, any other number or symbol which identifies the student, a list of personal characteristics, or any other information which would make the student's identity known and can be used to label a record as the individual student's.

C. ANNUAL NOTIFICATION

Rensselaer will publish in the Rensselaer Handbook which is available at the Dean of Student's website for each student at the beginning of the Fall semester or a notice to students of their rights under the FERPA. (See Section I also.)

The notice will include, but not be limited to, the following:

1. The right of a student to inspect and review his or her education record.
2. The intent of Rensselaer to limit the disclosure of information contained in a student's education records to the following circumstances:
   a. with the student's prior written consent;
   b. as an item of directory information which the student has not refused to permit the university to disclose; or
   c. under the FERPA provisions which allow a university to disclose information without the student's prior written consent.
3. The right of a student to petition Rensselaer to amend or correct any part of his or her education record which he or she believes is inaccurate, misleading or in violation of his or her privacy or other rights. When the university decides it will not amend or correct a student's record, the student has a right to a hearing to present evidence that the record is inaccurate, misleading, or in violation of his or her privacy or other rights.
4. The right of any student to file a complaint with the Department of Education if he or she believes, after such a hearing, that Rensselaer has violated the FERPA.

5. The procedure which a student should follow to obtain a copy of this policy and the location at which copies are available.

D. STATEMENT OF RIGHTS

This policy is intended to inform each student about Rensselaer's procedures to provide students their rights to:

1. Inspect and review their education records;
2. Exercise control (within the limitations provided under the law) over disclosures of information contained in their education records.
3. Seek to correct their education records, in a hearing if necessary, when they believe their records are inaccurate, misleading, or in violation of their privacy or other rights.
4. Report violations of the FERPA to the Department of Education; and
5. Be informed about their FERPA rights.

The President of Rensselaer has delegated authority for administration of the FERPA to the Registrar. Students who have problems or questions related to the policy should contact the Office of the Registrar for assistance and information.
### E. LOCATION OF RECORDS

<table>
<thead>
<tr>
<th>Type of Records</th>
<th>Custodian</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admissions and Financial Aid: recommendations (from guidance counselors and others) and interview notes will be destroyed after the admissions and financial aid decisions are made, and will not become a part of the record. The law encourages destruction of files which have served their purpose, and this procedure reassures writers of reference statements that they may be frank in their evaluation. Other application information is supplied by the applicant; this is transmitted to the Dean of Students and Registrar before the applicant actually enrolls. Such information concerning students who do not enroll is retained by the Admissions Office.</td>
<td>Admissions:</td>
<td>Admissions Building</td>
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<td></td>
<td>Dean of Students</td>
<td>Academy Hall</td>
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<tr>
<td></td>
<td>Registrar</td>
<td></td>
</tr>
<tr>
<td>Financial Aid:</td>
<td>Financial Aid:</td>
<td>Admissions Building</td>
</tr>
<tr>
<td></td>
<td>Dean of Admissions</td>
<td>Academy Hall</td>
</tr>
<tr>
<td></td>
<td>Director, Financial Aid</td>
<td></td>
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<tr>
<td>Graduate Admissions</td>
<td>Graduate Admissions</td>
<td>Admissions Building</td>
</tr>
<tr>
<td></td>
<td>Comptroller</td>
<td>Rice Building</td>
</tr>
<tr>
<td>Student Payroll Records: Payroll information for students who are also employees.</td>
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<tr>
<td>Cumulative Academic Records: Transcripts, degree information, registration records, grades, transfer credits, advanced placement records, and supporting documents.</td>
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<tr>
<td>Health Records</td>
<td>Medical Director</td>
<td>Academy Hall</td>
</tr>
<tr>
<td>Financial Records: Students accounts, loan notes and supporting documents.</td>
<td>Bursar</td>
<td>Academy Hall</td>
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<td>Place ment and cooperative education records</td>
<td>Coordinator, Career Development Ctr.</td>
<td>Darrin Communications Ctr.</td>
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<td>Records of Academic Progress for Currently Enrolled Students.</td>
<td>Registrar, Director of Academic Advising, and Faculty Advisor</td>
<td>Academy Hall, and individual faculty office respectively</td>
</tr>
<tr>
<td>Security and Safety records: traffic tickets, reports of crime or investigation of such incidents on campus</td>
<td>Director, Public Safety</td>
<td>Visitor's Information Center</td>
</tr>
<tr>
<td>Housing and Food Service Records: Housing and board accounts, damage charges, occupancy records</td>
<td>Director of Auxiliary, Parking and Transportation Services, Office of Residence Life</td>
<td>2144 Burdett Avenue, Commons Dining</td>
</tr>
<tr>
<td>Pre-professional Program Records</td>
<td>Program Coordinators</td>
<td>Faculty Member's Office</td>
</tr>
<tr>
<td>Counseling Records</td>
<td>Counseling Psychologist or Dean of Students</td>
<td>Health Center, Academy Hall or Academy Hall</td>
</tr>
<tr>
<td>Disciplinary Records</td>
<td>Dean of Students</td>
<td>Academy Hall</td>
</tr>
<tr>
<td>Union Loan Records and Bookstore Accounts</td>
<td>Director of the Rensselaer Union</td>
<td>Union Administration Office</td>
</tr>
<tr>
<td>Occasional Records: Student education records not classified among the types listed above, such as minutes of meetings, copies of correspondence in offices not listed.</td>
<td>Requests for such records should be made in writing to the Office of the Dean of Students, which will gather the records, direct the student to their location, or otherwise make them available for inspection and review.</td>
<td>The Institute faculty or staff member who maintains such occasional records.</td>
</tr>
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F. PROCEDURES FOR REVIEW OF RECORDS

The FERPA regulations allow university officials forty-five days to respond to the request of students to view their records, but it is the policy of Rensselaer to respond usually within a few days. When a given document contains some information not available to the student, that information to which he or she is entitled will be provided verbally. Requests to review records should be submitted in writing to their custodian (see Section E, "Location of Records," in this policy statement), and should be very specific as to the particular records to which access is sought.

G. COPIES OF RECORDS AND COPYING FEES

Under the provisions of the FERPA regulations, students are entitled to obtain copies of their education records upon request only when the denial of copies would effectively deny access to the records, or when the specific records of which copies are requested have already been transmitted to a third party under authority of the student's prior written consent, or when the student requests copies of records the university has disclosed to other schools in which the student seeks or intends to enroll (provided the student has not waived his or her own right of access).

Rensselaer will charge the following fees for copies of education records:

1. Transcripts: the student requesting a transcript must apply in writing to the Registrar, who will send the transcript to the designated addressee. Final transcripts bearing the official Institute seal will be issued only after all financial obligations to Rensselaer have been met. The student who wishes to obtain an unofficial photocopy of his or her transcript will be subject to the limitations outlined in the previous paragraph.

2. Other Education Records: copies provided may be subject to a charge of no more than ten cents per page plus the actual cost of search, retrieval, and mailing.

Rensselaer reserves the right to deny transcripts or copies of records not required by the FERPA regulations in any of the following situations:

1. The student has an unpaid financial obligation to Rensselaer:
2. There is an unresolved charge involving alleged violation of the Grounds for Disciplinary Action pending against the student; or
3. There is unresolved litigation between the student and Rensselaer.

Rensselaer will furnish, at no cost, copies of records involved in a request the student has made to have them amended or corrected.

H. DIRECTORY INFORMATION

Rensselaer intends from time to time to make certain "directory information" available for public use and has designated, as is provided by the FERPA regulations, the following as directory information: the student's name, address, telephone number, date and place of birth, photograph, email, major field of study, academic load, participation in officially recognized activities and sports, weight and height of members of athletic teams, employment status within Rensselaer, dates of attendance, degrees, honors, and awards received, class-year in school, other educational institutions attended prior to enrollment at Rensselaer, and the student's current enrollment status.
By the second week of class each semester, each student will be reminded of the opportunity to notify the Office of the Registrar that he or she refuses to permit Rensselaer to release specific items of directory information. The registrar will instruct the student as to the appropriate custodians the student must notify to prevent any further disclosures of those items without the student's written consent except to parties who have access, under other provisions of the FERPA regulations, without such consent. If a student fails to notify the Office of the Registrar of his or her refusal on or before the last day of the second week of classes in any given semester, he or she will not have that opportunity again until the same time period in the following semester.

I. MAINTENANCE AND RELEASE OF STUDENT RECORDS

All faculty and staff of Rensselaer must follow a strict policy that information contained in a student's education record is confidential and may not be disclosed to third parties without the student's prior written consent except as otherwise provided by the FERPA regulations.

Rensselaer maintains student records in order for the administrative staff and faculty to properly perform their functions in the service of the student body. To carry out their responsibilities, these officials will have access to student records for legitimate educational and administrative purposes. Faculty and staff members authorized to view records other than directory information will be limited to those whose official duties require access to that specific information. The FERPA regulations provide that others may be given access to information in a case where there is demonstrated emergency need for such access, and the reason will be kept in the student folder. Information normally requiring a student's release may be provided for statistical analysis if such information is not personally identifiable.

In order to establish which Institute officials have access to education records, the criteria listed below will be applied. An official is:

1. A member of Rensselaer's Board of Trustees or an officer of Rensselaer.

2. A person who is appointed to serve in an Institute or faculty position.

3. A person employed by Rensselaer as a temporary substitute for a faculty or staff member for the period of his or her substitution.

4. A person employed by or under contract to Rensselaer to perform special administrative tasks. These would include secretaries, clerks, attorneys, auditors, and consultants for the period of their performance as an employee or contractor.

5. Persons within the Rensselaer community whose membership on recognized committees requires them to have access to certain relevant information normally contained in student's education records. Examples would include, for instance, members of the Judicial Board, The Academic Judicial Committees, the president's Committee for the handicapped, etc., and Others whose unofficial or secondary roles contribute to the administrative and academic Functions of and due process within Rensselaer.
Institute personnel who meet the criteria listed above will have access to personally identifiable information contained in student education records without the student's prior written consent when they have a legitimate educational interest in doing so. Legitimate educational interest is defined as the person's need to know in order to perform an administrative, supervisory, or instructional task directly related to the student's educational or other needs, within the confines of that person's official or professional responsibilities, or to provide or assist in the provision of a service or benefit for the student, such as health care, counseling, due process, financial aid, etc.

Within the general policy that no education records of a student will be released to a third party without the student's prior written consent, the FERPA regulations permit, but do not require, the university to disclose the student's records without his or her prior consent:

1. To officials of other schools in which a student seeks or intends to enroll. Institute personnel will neither seek waivers nor notify students when responding to requests from other educational institutions after the student applies for transfer or graduate admission. However, the student may have a copy of the information so transmitted upon written request, and may request a hearing as provided elsewhere in this policy if he or she believes that some amendment or correction is necessary.

2. To certain state and federal officials when information is needed in order for them to audit or enforce legal conditions related to state- or federally-supported education programs offered by Rensselaer.

3. To persons who are involved in providing financial aid to the student in order that they may: Determine the students' eligibility for such aid; determine the amount of financial aid; established conditions for the receipt of such aid; or, enforce the terms of the agreements concerning the aid.

4. To certain state and local officials to whom information is required to be disclosed under Statutes adopted prior to November 19, 1974.

5. To certain accrediting organizations and others conducting education-related studies (such as CEEB, ACT, ETS, etc).

6. To parents of a dependent student as defined in the Internal Revenue Code of 1954. All Undergraduate students at Rensselaer are considered dependent students, which permits RPI to give parents access to their education records. However, the parents of students who submit to the office of the registrar appropriate documentation to establish that they should be considered independent of their parents will not be entitled to such access. (Note: Dependency status as defined with respect to FERPA compliance has no bearing on dependency status used in making financial aid determinations, as different criteria are applied.) Graduate students are considered independent of their families for purposes of compliance with the FERPA regulations.

7. To comply with a judicial order or lawfully issued subpoena. Rensselaer will make a reasonable effort to notify the student before disclosure is made under this provision.
8. To appropriate parties in a health or safety emergency subject to the following conditions:
   a. The disclosure is warranted by the seriousness of the threat to the health or safety of the student or other persons;
   b. The information is necessary for resolution of the emergency;
   c. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; and,
   d. Time is an important and limiting factor in dealing with the emergency.

Officials of Rensselaer may not disclose personally identifiable information contained in a student's education record, except directory information or under the circumstances listed above, without the student's prior written consent. The written consent must include at least:

1. A specification of the information the student consents to be disclosed;
2. The purpose for which the disclosure may be made;
3. The person or organization or the class of persons or organizations to whom the disclosure may be made;
   and,
4. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student may upon written request obtain a copy of any records the university discloses with the student's prior written consent.

Rensselaer may release information contained in a student's education records, except directory information, to third parties, only on the condition that those parties agree that they will not disclose the information without the student's prior written consent. Third parties exempted from this provision are those who are otherwise permitted by the regulations to have access to records without the student's prior consent, as specified in section I of this policy statement. In all such cases, record keeping requirements (see section J) must be met.

J. RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

All requests for disclosures of information contained in a student's education record or for access to the record made by persons other that Institute officials or the student or those requests accompanied by the student's prior written consent must be submitted to the appropriate custodian of those records, who will then approve or disapprove all such requests. Except for requests for directory information, the custodian will maintain in his or her office a record of these actions. This record will be Rensselaer's record of requests and disclosures from education records as required by the FERPA regulations.

This record of requests for and disclosures made from education records will be available only to the record custodians, the student, or to Federal, State or local officials for the purpose of auditing or enforcing the conditions for federally-supported educational programs.
The record will include at least:

1. The name of the person or agency that made the request.
2. The interest the person or agency had in the information.
3. The date the person or agency made the request.
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

Rensselaer will maintain this record of disclosures as long as it maintains the student's education record.

K. PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

Rensselaer permits students to challenge the content of their education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students. (Note: under the FERPA, the university is permitted to refuse to consider a student's request to change the grade an instructor assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that might be construed to be inaccurate, misleading, or in violation of the privacy or other rights of students. Also, in this section, the term "requester" will be used to describe a student or former student who is asking the university to correct a record.

If a student or former student discovers and incorrect item in his education record, he or she should informally discuss the problem with the record custodian. If the custodian finds the record is incorrect because of an obvious error, and it is a simple matter to correct it to the satisfaction of the requester, the custodian may make the change.

If the custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the custodian will:

1. Provide the requester a copy of the questioned record at no cost; and
2. Ask the requester to provide the custodian a written request for the change.

The written request should at least identify the item the requester believes is incorrect and state whether it:

1. Is inaccurate and why;
2. Is misleading and why; or,
3. Violates the privacy or other rights of students and why.

The requester must date and sign the request.
The record custodian will then add any material to support his refusal to change the record to the request and send it to the registrar, who will then examine the request, discuss it with appropriate university officials, including the person who initiated the record, and other persons who might have an interest in the questioned item. At the conclusion of this investigation, the registrar will summarize his or her findings, make a recommendation for Rensselaer's action, and deliver the request, the custodian's statement, a summary of findings, and a recommendation to the Vice President for Student Life.

Based on this documentation, the Vice President for Student Life will instruct the Registrar as to whether the record should or should not be change in accord with the request. If the decision is to change the record, the registrar will advise the custodian to make the change. The custodian will inform the requester in writing when he or she has changed the record and invite the requester to inspect the corrected record.

If the Vice President for Student Life concludes that the record is correct and should not be changed, the Registrar will prepare and send the requester and the custodian a letter stating the decision. This letter will also inform the requester that:

1. The university will provide an opportunity for a hearing for the requester to present evidence that the record is inaccurate, misleading, or that it violates the privacy or other rights of students;

2. The requester may be represented or assisted in the hearing by other parties including an attorney (The university will not assume the costs for such assistance or representation.); and,

3. The requester (if he or she wishes a hearing) should contact the registrar to discuss such details as time and place for the hearing and the time needed to present evidence. (the university will not be bound by the requester's wishes in these matters but will, so far as possible, schedule the hearing at the requester's convenience.)

The Registrar will report to the Vice President for Student Life that the requester has asked for a hearing and recommend a hearing officer, time, and place. The Vice President will formally appoint a hearing officer and advise the registrar of the appointment. The Registrar will then arrange for the place, set a time for the hearing, and notify the requester of these arrangements.

At the hearing, the requester will be allowed a full and fair opportunity to present evidence and testimony to support the contention that the challenged material in his or her education record is inaccurate, misleading, or in violation of his or her privacy or other rights. The university reserves the right to challenge evidence and cross-examine witnesses, and it will allow the requester to challenge evidence it presents and cross-examine witnesses it calls in the hearing.

Within two weeks after the hearing, the hearing officer will prepare a summary of the evidence presented at the hearing and make a recommendation, based solely on evidence presented at the hearing, concerning the request to change the record. The hearing officer will present the summary of the evidence and the recommendation to the Vice President for Student Life.

The Vice President for Student Life will advise the Registrar of Rensselaer's decision and provide a copy of the summary of the evidence presented at the hearing.
If Rensselaer's decision is that it should change the student's record, the Registrar will advise the record custodian to make the change, and will then advise the requester in writing outlining the exact changes which the custodian will make.

If Rensselaer decides it will not change the record, the Registrar will prepare a written notice to the requester and the custodian, to include:

1. Rensselaer's decision not to change the record;

2. A copy of the summary of the evidence presented at the hearing and a written statement of the Reasons for the decision; and,

3. Advice to the requester that he or she may place in the record an explanatory statement giving any reasons he or she may have for disagreeing with Rensselaer's decision and the basis for the belief that the record is incorrect.

When Rensselaer receives an explanatory statement from a requester following such a determination, it will maintain the statement as part of the student's education record as long as it maintains the questioned part of the record. Whenever the questioned part of the record is disclosed, the explanatory statement will also be disclosed.

L. NOTIFICATION STATEMENT FOR PUBLICATION IN THE RENSSELAER HANDBOOK

Rensselaer complies with the Family Educational Rights and Privacy Act of 1974 (Section 438 of the General Education Provisions Act, Title IV of Public Law 90-246), as amended. This Act provides that the students attending any post secondary educational institution which receives federal funds are entitled to access to their education records kept by the institution in order to inspect and review those records. Students are entitled to petition Rensselaer for the amendment or correction of any information in their education records which they feel is inaccurate, misleading, or otherwise in violation of their privacy or other rights. Guidelines are also provided for the conduct of informal and formal hearings at which a student may present evidence that the records are inaccurate or misleading and seek to have them amended or corrected.

Rensselaer also intends to comply fully with provisions of the Act which limit the disclosure of certain information contained in student's education records to the following circumstances:

a. with the student's prior written consent;

b. as an item of directory information (as defined in Rensselaer's compliance policies) which the student has not refused to permit Rensselaer to disclose; or,

c. under the provisions of the Act which allows a university to disclose information without the student's prior written consent (see Rensselaer's compliance policies).

Copies of Rensselaer's complete statement of Policy and Procedures in compliance with the Family Educational Rights and Privacy Act may be obtained upon request from the Office of the Registrar.
Any student who believes, after seeking correction through the internal grievance procedures specified in Rensselaer's policy statement, that Rensselaer has failed to comply with the provisions of this act has the right to file a written complaint with the Family Policy Compliance Office, Department of Education, 400 Maryland Avenue, SW, Washington, D. C. 20202

M. ADOPTION

The President of Rensselaer adopted this student records policy on 19

The President has directed and authorized appropriate Institute officials to establish and put into effect the procedures to implement the policy beginning 19

Copies of this policy will be available to students upon request at the Office of the Registrar, and notification to students concerning their rights under the Family Educational Rights and Privacy Act will be published annually in The Rensselaer Handbook.