The Family Educational Rights and Privacy Act of 1974, as amended, is a Federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of the students be made available. The law provides that the institution will maintain the confidentiality of student education records.

The American Conservatory Theater (A.C.T.) accords all rights under the law to students who are declared independent. No one outside the institution shall have access to nor will the institution disclose any information from students' education records without written consent of students except to personnel within the institution, to officials of other institutions in which students seek enrollment, to persons or organizations providing students financial aid, to accrediting agencies carrying out the accreditation function, to persons in compliance with judicial order, and to persons in an emergency in order to protect the health or safety of students or to other persons. All these exceptions are permitted under the Act.

Within the A.C.T. community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include the Conservatory Director, the Artistic Director, Executive Director, Associate Conservatory Director, Conservatory Manager, Director of Academic Affairs (Registrar), Director of the Summer Training Congress (STC files only), Director of Studio ACT (Studio ACT files only), Director of Financial Aid, Young Conservatory Director (YC files only), and conservatory and academic personnel, including conservatory fellows/interns, volunteers and work-study student assistants, within the limitations of their need to know.


The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of the education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if the decisions of the hearing panels are unacceptable. The Director of Academic Affairs at A.C.T. coordinates the inspection and review procedures for student education records, which include admissions/personal, academic, and financial files. Students wishing to review their education records must make written requests to the Director of Academic Affairs listing the item or items of interest. Only records covered by the Act will be made available within forty-five days of the request. Students may have copies made of their records within certain exceptions, e.g., a copy of the academic record for which a financial “hold” exists or a transcript of an original or source document that exists elsewhere). These copies would be made at the students' expense at the current rate of 25 cents per page, plus $5.00 postage and handling charge if required. Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute.

Students may not inspect and review the following as outlined by the Act: financial information submitted by their parents; confidential letters and recommendations associated with admissions
which they have waived their rights of inspection and review; or education records containing
information about more than one student, in which case the institution will permit access only
to that part of the record which pertains to the inquiring student. The institution is not required to
permit students to inspect and review confidential letters and recommendations placed in their
files prior to January 1, 1975, provided those letters were collected under established policies of
confidentiality and were used only for the purpose for which they were collected.

Students who believe that their education records contain information that is inaccurate or
misleading, or is otherwise in violation of their privacy or other rights may discuss their problems
informally with the Director of Academic Affairs. If the decisions are in agreement with the
students' requests, the appropriate records will be amended. If not, the students will be notified
within a reasonable period of time that the records will not be amended; and they will be informed
by the Director of Academic Affairs of their right to a formal hearing. Student requests for a formal
hearing must be made in writing to the Conservatory Director who, within a reasonable period of
time after receiving such requests, will inform students of the date, place, and the time of the
hearings. Students may present evidence relevant to the issues raised and may be assisted or
represented at the hearings by one or more persons of their choice, including attorneys, at the
students' expense. The hearing panels that will adjudicate such challenges will be the individuals
designated by the Conservatory Director.

Decisions of the hearing panels will be final, will be based solely on the evidence presented at the
hearing, and will consist of written statements summarizing the evidence and stating the reasons
for the decisions, and will be delivered to all parties concerned. The education records will be
corrected or amended in accordance with the decisions of the hearing panels, if the decisions are in
favor of the students. If the decisions are unsatisfactory to the students, the students may place
with the education records statements commenting on the information in the records, or
statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The
statements will be placed in the education records, maintained as part of the students' records, and
released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair or not in keeping with
the provisions of the Family Education Rights and Privacy Act Office (F.E.R.P.A.), may request, in
writing, assistance from the Office of Human Resources to aid them in filing complaints with the
Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW,
Washington, DC 20202-4605.

Revisions and clarifications will be published as experience with the law and institution's policy
warrants.

ADDENDUM:

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the
circumstances under which your education records and personally identifiable information (PII)
contained in such records—including your Social Security Number, grades, or other private
information—may be accessed without your consent. First, the U.S. Comptroller General, the
U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities
("Federal and State Authorities") may allow access to your records and PII without your 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 your education records and PII without your 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 your 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 your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you 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.

**REQUIREMENT AND USE OF SOCIAL SECURITY NUMBER**

Applicants are required to include their correct social security numbers in designated places on applications for admission pursuant to the authority contained in Section 41201, Title 5, California Code of Regulations, and Section 6109 of the Internal Revenue Code (26 U.S.C. 6109). A.C.T. uses the social security number to identify students and their records including to identify the student for purposes of financial aid eligibility and disbursement and the repayment of financial aid and other debts payable to the institution. Also, the Internal Revenue Service requires A.C.T. to file information returns that include the student's social security number and other information such as the amount paid for qualified tuition, related expenses, and interest on educational loans. This information is used by the IRS to help determine whether a student, or a person claiming a student as a dependent, may take a credit or deduction to reduce federal income taxes.