

- c) Students are advised to **provide complete information** in order to assist the New Mexico Tech in following up on the request. Federal law requires that the New Mexico Tech provide access to requested extant records within 45 days.
- d) A Registrar's Office official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records requested are not under the control of the Registrar's Office, the Registrar's Office will make arrangements for the relevant office to provide the records within the time frame established under the law.

2. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

- a) A student may ask the New Mexico Tech to amend the record that he or she believes is inaccurate or misleading. The student should write the New Mexico Tech official responsible for the record (with a copy to the New Mexico Tech Registrar), clearly identify the part of the records he or she wants changed, and specify why it should be changed.
- b) If the New Mexico Tech decides not to amend the record as requested by the student, the New Mexico Tech 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.
- c) Additional information regarding the hearing procedures is provided to the student 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.

FERPA contains various exceptions to the general rule that the New Mexico Tech should not disclose education records without seeking the prior written consent of the student. The following circumstances are representative of those in which education records (and information drawn from education records) may be disclosed without the student's prior written consent:

- a) Upon request, the New Mexico Tech may release Directory Information (see the "FERPA Directory Information" section below).
- b) School officials who have a legitimate educational interest in a student's education record may be permitted to review it. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her responsibility to NMT or to the student.
 - 1) a school official is: a person employed by the New Mexico Tech in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff);
 - 2) a person or company with whom the New Mexico Tech has contracted (such as an attorney, auditor, or collection agent);
 - 3) a person serving on the Board of Trustees/Board of Regents; or a student or volunteer serving on

d) The New Mexico Tech may inform

CONSENT TO USE OF PHOTOGRAPHIC IMAGES

Registration as a student and attendance at or participation in classes and other campus and New Mexico Tech activities constitutes an agreement by the student to the New Mexico Tech's use and distribution (both now and in the future) of the student's image or voice in photographs, video or audio capture, or electronic reproductions of such classes and other campus and New Mexico Tech activities.

If any student in a class where such photographing or recording is to take place does not wish to have his or her image or voice so used, the student should raise the matter in advance with the instructor.

Lecture Capture Videos: F

Step 2: If the objection is not satisfied by discussion with the records manager, the student shall have the right to appeal to the Vice President of Academic Affairs. The student may challenge the retention of any data in the student record on the basis that it is inaccurate, misleading, or otherwise a violation of the privacy or other rights of the student. Request for appeal shall be in writing and must identify the specific portion(s) of the record to be challenged and state the reason for the challenge. Grades may be challenged under this procedure only on the basis of the accuracy of their transcription.

Step 3: The Vice President of Academic Affairs (VPAA), or designee, shall create a review panel composed of the one Dean and two faculty members. Additional staff members may be involved, but will not be voting members of the committee. The review panel shall decide, upon appeal of the student, whether the challenged student data should be destroyed or amended.

Step 4: The review panel shall, within four weeks after being notified of such appeal, or longer should the appellant request delay, conduct a fair hearing to decide the issues presented by the appellant.

The records manager shall have the burden of proof with regard to the issues presented by the appellant

The appellant and the records manager shall have the right to be represented by an advocate of his or her choosing, cross-examine witnesses, present evidence, make a tape recording of the proceedings, and request a written decision supported by reasons

Potential Outcomes

If the student appeals according to the provisions set forth above and obtains a favorable ruling, the contested data