

In accordance with FERPA, current and former students may request that EVMS amend their educational record if they believe that the record contains information that is inaccurate, misleading, or in violation of the student's right of privacy. If, upon request of the student and review by the Registrar (or other EVMS employee who created/maintains the record) decides not to amend the record as requested, the student may request a hearing to challenge the content of their educational record in accordance with the following:

1. Students requesting a hearing must have made a formal request to the Registrar to amend their educational record and, in response, received notice from the Registrar that EVMS has denied such request.
2. Within 30 days of the date of the denial notice, the student must file a written request for a hearing with the Registrar, 700 Olney Road, Lewis Hall, Room 1147, Norfolk, VA 23507 or registrar@evms.edu. Such request must include a copy of the record (or specifically identify the record) in question, a statement that the request to amend was denied, and a statement as to why the record in question is inaccurate, misleading, or in violation of the student's right of privacy. Note that the FERPA hearing process may not be used in lieu of, or as an attempt to provide an additional avenue of review for, grade appeals, academic progress committee or program actions, nonacademic misconduct hearings or actions, or other institutional process. Thus, while the hearing process can argue that a grade assigned or action taken was not recorded properly, it cannot be used to argue that the grade assigned or action taken should have been different.
3. Within 45 days of receipt of the written request for a hearing, the Registrar will hold a hearing with a FERPA Hearing Officer who shall be the Associate Dean for Admissions and Enrollment, or the Associate Dean of Health Professions, or, in the event that such individuals have a conflict of interest or a scheduling conflict, another EVMS official who does not have direct interest in the outcome of the hearing.
4. The Registrar will notify the student of the date, time, and place of the hearing and shall advise the student of his/her rights and responsibilities as it relates to the hearing, including the right to be assisted or represented by an attorney of his/her own choosing and at his/her own expense. The hearing shall not exceed two hours, shall be held in closed session, and shall not be recorded by any party.

5. All documents to be presented at the hearing must be provided to the FERPA Hearing Officer at least 5 business days prior to the hearing date.
6. The hearing is not a court proceeding and shall not be subject to formal rules of evidence or procedure. The hearing shall be presided over by the FERPA Hearing Officer who shall:
 - a. Maintain control over the hearing;
 - b. Allow the student to present evidence to support why the disputed content in the record is inaccurate, misleading or in violation of the student's right of privacy, including testimony of witnesses or other evidence which the student reasonably believes to support the dispute; and
 - c. Allow the Registrar (or other EVMS employee who created/maintains the record) to present evidence or rationale explaining why the record is accurate, is not misleading and/or is not a violation of the student's privacy rights.
7. Within 30 business days after the hearing, the FERPA Hearing Officer shall provide a written decision based solely on the evidence presented by the parties at the hearing (including any relevant documents present to the hearing officer in preparation for the hearing), which shall assert one of the following positions:
 - a. The record is inaccurate, misleading, or a violation of the student's privacy rights and shall be amended accordingly, with such amendment to be provided to the student within 30 days of the date of the decision; or
 - b. The record is accurate, not misleading and/or not a violation of the student's privacy rights and shall not be amended. However, the student may place a statement in his/her educational record that comments on the disputed content and/or states why the student disagrees with the decision of EVMS (or both). Such statement must be received by the Registrar within 30 days of the date of the decision and shall, thereafter, be maintained and disclosed with the disputed portion of the record so long as it is maintained by EVMS.
8. The decision of the FERPA Hearing Office shall be final.
9. All records relating to the hearing shall be maintained by the Registrar.
10. Any student who believes that EVMS has violated their rights under FERPA, may file a complaint with the Department of Education, Family Policy Compliance Office, 400 Maryland Ave., SW, Washington, DC 20202-8520. More information on the complaint process, can be found on the Department of Education, Family Policy Compliance web page at familypolicy.ed.gov.