

Privacy of Student Records – Family Educational Rights and Privacy Act (FERPA)

FERPA was designed to protect the privacy of student education records.

Students' Rights Under FERPA:

The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, sets forth requirements regarding the privacy of student records. Students' rights include:

- The right to inspect and review education records within 45 days of request.
- The right to amend education records.
- The right to consent to or withhold disclosure of person identifiable information.
- The right to file a complaint with the U.S. Department of Education.

Administrative Guideline #306:

The Southeastern Community College Merged Area XVI collects and maintains records on each student in order to facilitate the instruction, guidance and educational progress of the student. The records contain information about the student and their education and may include, but are not limited to, the following types of records: identification data, attendance data, record of achievement, family background data, aptitude tests, educational and vocational plans, honors and activities, objective counselor or teacher ratings and observations, and external agency reports.

Any student objecting to the public release of such information must file a written objection with the Registrar within fifteen school days following the first day of classes attended. This written objection is valid for one calendar year from the date of objection and must be renewed if desired. A complete policy is maintained in the Administrative Guidelines in the Registrar's office.

Inspecting and Reviewing Education Records:

The records of each student are generally located in the College campus building which he or she is attending. Any exception will be noted in the student's other records or by the person in charge of record maintenance for each campus. The Registrar is responsible for maintenance of student records.

Student records are reviewed and inappropriate material removed periodically. Those records not of permanent importance are destroyed within two years of graduation or discontinued attendance.

Any student may exercise the opportunity to review educational records of the student, to obtain copies of the records, to write a response to material in the record, to challenge the content of the record on grounds of inappropriateness, inaccuracy or an invasion of privacy, and to have the records explained.

Students at SCC retain the right granted under FERPA to inspect and review the education records within 45 days of the day the College receives a request for access. A written request for access must be submitted to the Office of the Registrar at either the West Burlington or Keokuk campus. Said request must identify what record(s) the student wishes to inspect. Once the request has been received, a representative with the college's Registrar's Office will contact the student to arrange for access and inspection. Students have the right to access and inspect only their own record. When a record contains information about more than one student, disclosure cannot include information regarding other students.

Applicable Forms:

- Before a student may examine his/her records, he/she must complete the "Request for Review of Personal Records" form.
- After the review, he/she must complete the log form "Record of Inspection of Student Records".
- The two forms will then be placed in an envelope and placed in the student folder.

Amending Education Records:

SCC keeps the official academic record (transcript) of enrollment and credit earned in the SCC credit program in perpetuity. All other student record documents are destroyed two years after the student's last enrollment. Students who believe there is any inaccuracy in their official academic transcript must notify the Registrar immediately.

A student or a parent of a dependent student, shall have an opportunity for a hearing to challenge the contents of the student's record, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

A student, or parent of a dependent student, wishing to challenge the content of a student's record shall make written application to the Registrar. Within 10 days or at a time mutually agreed upon, an informal hearing shall be held to determine the validity of the challenge.

The hearing panel shall be appointed by the Vice President of Student Services and consist of an academic advisor or certified counselor, a faculty member, and an administrator (excluding the President). The panel shall hear evidence and testimony relevant to the matter.

The challenging party shall be afforded a full and fair opportunity to present evidence relevant to the issues raised. The decision may include any educationally reasonable action with regard to the challenged portion of the education record and may include alteration and deletion. Grades may be challenged only on the basis of accuracy in recording and not on the basis of evaluation of performance. A written decision shall be rendered as soon as possible, and included in the record, but in no case more than five school days after the hearing. Should the student, or parent of a dependent student, be dissatisfied with the decision of the panel, he/she may within ten days of the written decision appeal to the President to either modify or overrule the decision of the panel. No person with a direct interest in the outcome, or responsible for placing the challenged information in the record, may participate in the rendering of a decision. Should the President have a personal interest in the outcome or if the President was originally responsible for placing the challenged information in the record, the Board of Trustees shall designate a President of another district or an area education agency administrator to review the decision.

The College is not required to consider requests for amendment under FERPA that seek to change a grade, unless the grade was recorded inaccurately, seek to change disciplinary decisions, or seek to change the opinions or reflections of a college official or other person reflected in an education record.

Consent to or Withhold Disclosure of Personally Identifiable Information:

No student information, except "Directory Information" defined below, may be released from the Registrar's Office without the written consent of the student involved, except to the following

persons, agencies or organizations who may have restricted access to student records without prior written approval.

- To school officials with legitimate educational interests. A school official is a person employed by the college in an administrative, supervisory, academic or research, or support staff position (including security personnel); a person or company with whom the college has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting other school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- To officials of other institutions where the student intends to enroll.
- To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of U.S. Department of Education, or state and local authorities.
- In connection with the student's application for and receipt of financial aid.
- To state and federal officials, authorities, and agencies specifically exempted from the prior consent requirements by this Act.
- To organizations conducting studies for, or on behalf of, educational agencies or institutions.
- To accrediting organizations to carry out their accrediting functions.
- To parents of a student who have established that student's status as a dependent according to section 152 of the Internal Revenue Code of 1986.
- To comply with a judicial order or lawfully issued subpoena.
- In connection with a health or safety emergency when knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- Of final results of any disciplinary proceedings conducted by the College against alleged perpetrators of a crime of violence or non-forcible sex offense to the alleged victim of that crime.
- To the student.
- To a parent of a student at the College regarding the student's violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the College determines that the student has committed a disciplinary violation with respect to that use or possession and the student is under the age of 21 at the time of the disclosure to the parent.

Except under one of the conditions described above, a student must provide a signed and dated written consent before an education agency or school may disclose personally identifiable information from the student's education records. The written consent must state:

- The purpose of the disclosure;
- Specify the records that may be disclosed;
- Identify the party or class of parties to whom the disclosure may be made; and Be signed and dated.

The following "Directory Information" may be released to the public without the prior written consent of the student involved, unless the student has submitted a request, in writing, that the information not be released:

Name, address, electronic mail address, home telephone number, cell phone number, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, class schedule, full-time/part-time status, grade level, degrees and

awards received and the most recent previous school or institution attended by the student.

The Registrar may only release "directory information", as defined above, to the public, keeping in mind the privacy of the student and the student's family and the totality of the surrounding circumstances.

Any student objecting to the public release of such information must file a written objection with the Registrar's Office and that information objected to shall not be publicly released. The written objection must be filed with the Registrar within 15 school days following the first day of classes attended. This written objective is valid for one calendar year from date of objection and must be renewed if desired.

If you would like to give certain individuals the right to obtain specific student information such as attendance, grades, or financial information then you must complete the "Student Consent to Release Educational and Financial Records" form and submit it to the Registrar.

Maintaining a record of each request for access to and disclosure of personally identifiable information without written consent from the student:

If a student would like to give certain individuals the right to obtain specific student information such as attendance, grades, or financial information then the student must complete the "Student Consent to Release Educational and Financial Records" form and submit it to the Registrar.

SCC maintains a record of each request (who and why) for access to and disclosure of personally identifiable information without written consent from the student unless the request was from the:

- Student
- School official with legitimate educational interest directory information only
- A party seeking records due to a law enforcement subpoena and criteria that subpoena not be disclosed.

Filing a Complaint with the U.S. Department of Education:

Students who believe that their rights have been abridged may file complaints with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C., 20202-5901 concerning alleged failures of the college to comply with the Act.

Complaints must:

Be timely submitted, not later than 180 days from the date you learned of the circumstances of the alleged violation.

Contain specific allegations of fact giving reasonable cause to believe that a violation has occurred, including:

- Relevant dates, such as the date of a request or a disclosure and the date the parent learned of the alleged violation;
- Names and titles of those school officials and other third parties involved;
- A specific description of the education record around which the alleged violation occurred;

- A description of any contact with school officials regarding the matter, including dates and estimated times of telephone calls and/or copies of any correspondence exchanged between the parent and the school regarding the matter;
- The name and address of the school, school district, and superintendent of the district;
- Any additional evidence that would be helpful in the consideration of the complaint.

Copies of the Act, SCC policies and procedures and forms for use in implementing the Act, are available upon request in the Registrar's Office.