



# Student Academic Records

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## Access, Privacy, Security and Disposal

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## Student Academic Records

# Access, Privacy, Security and Disposal

## Purpose of Training

- To assist members of the SCC campus community in becoming familiar with their responsibilities in handling student academic record information under the following regulations:
  - FERPA - [Family Educational Rights and Privacy Act of 1974](#)
  - SRP - [SCC's Student Records Policy #6.23](#)
  - R & D - [NCCCS Records Retention And Disposition Schedule](#)



SCC is legally and ethically obligated to protect the confidentiality of students' records and to retain or dispose of these records according to the guidelines.

## Student Academic Records

# Access, Privacy, Security and Disposal



### Questions to be Explored – Key Concepts

- **What is FERPA at SCC?**
  - What are the rights given to students?
- **Who is considered a student under FERPA?**
- **What is considered a student educational record?**
  - What is not considered an educational record?
  - What is Directory Information?
- **Who may access a student educational record?**
  - Who may access without a student's consent?
  - What about access by parents, spouses, and third party persons?
  - Can a student restrict access?
- **How does this affect what you do?**
- **How long do student records need to be retained?**

# Student Academic Records Access, Privacy, Security and Disposal



## What is FERPA at SCC?

- FERPA is an acronym for -
  - Family Educational Rights and Privacy Act of 1974, amended in 2000. (20 U.S.C. 1232g, 34 CFR § 99)
  - Also known as the Buckley Amendment
  
- FERPA Creates Basic Rights for Students
  - Right to inspect and review education records
  - Right to seek to amend education records
  - Right to some control over access to and disclosure of information from education records

# Student Academic Records Access, Privacy, Security and Disposal



## What is FERPA at SCC?

- **Student Records Policy #6.23 in the SCC Policy and Procedures Manual**
- **Created by SCC to:**
  - Define a student record
  - Define Directory Information
  - Outline access and release of information
  - Outline the process for restricting access
- **SCC notifies students annually through the Student Handbook, Catalog, admission application, admission letters and orientation.**



## Student Academic Records

# Access, Privacy, Security and Disposal

## Questions to be Explored – Key Concepts

- **What is FERPA at SCC?**
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## Student Academic Records

# Access, Privacy, Security and Disposal



## Who is considered a student under FERPA?

- A student is any individual:
  - Who is or has been in attendance (enrolled) at SCC
  - AND
  - About whom the college maintains education records.
  
- Applies to any individual who:
  - Has reached the age of 18 years
  - OR
  - Attends SCC whether or not he/she is 18 years of age



## Student Academic Records Access, Privacy, Security and Disposal

### Who is considered a student under FERPA? (Applies to)

- Also applies to the following at SCC:
  - Concurrent enrolled high school student
  - Adult High School enrolled student

## Student Academic Records

# Access, Privacy, Security and Disposal



### Who is considered a student under FERPA? (Who is Not covered)

- An applicant is NOT covered by FERPA
- An applicant is any person who:
  - Applies to SCC and is not accepted
  - OR
  - Was accepted by SCC but does not attend.
- SCC maintains the application and support material for one year after which it is destroyed.



## Student Academic Records

# Access, Privacy, Security and Disposal

## Questions to be Explored – Key Concepts

- **What is FERPA at SCC?**
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## Student Academic Records

# Access, Privacy, Security and Disposal

### What is considered a student educational record?

- Any record, with certain exceptions, maintained by the college or someone acting on behalf of the college that is:
  - Directly related to a student and contains personally identifiable data and information
  - Shared or used by more than one person at the college.
- Record means any information maintained in any way



## Student Academic Records

# Access, Privacy, Security and Disposal

### What is considered a student educational record? (continued)

- **Record formats may include, but are not limited to:**
  - Handwriting
  - Video or audio tape
  - Computer media
  - Film
  - Print
  - Microfilm and microfiche
  - Optical Images

## Student Academic Records

# Access, Privacy, Security and Disposal



### What is considered a student educational record? (continued)

- Personally (individually) identifiable information includes, but is not limited to:
  - Name of the student, the student's parent, or other family
  - Address of the student or parent's address
  - A personal identifier such as a social security number or student ID
  - A list of personal characteristics or other information which would make the student's identity easily traceable
- A key element - an educational record can be shared or has the potential of being used by more than one person.



## Student Academic Records Access, Privacy, Security and Disposal

### What is considered a student educational record? (Exceptions)

- **5 Exceptions – Not considered an Educational Record:**
  - Sole Possession record
  - Law Enforcement record
  - Employment record
  - Medical record
  - Alumni record

# Student Academic Records Access, Privacy, Security and Disposal



## What is considered a student educational record? (Exceptions)

### 1. Exception - Sole Possession record

- Sole Possession – information in the possession of 1 person and used only by that person
  - If the information is shared with another college faculty or staff member, it is NO LONGER a sole possession record.
  - If the information is shared within a department, it is NO LONGER a sole possession record.
  - A student cannot demand to inspect and review sole possession records.

## Student Academic Records

# Access, Privacy, Security and Disposal



## What is considered a student educational record? (Exceptions)

### 2. Exception - Law Enforcement record

- Law Enforcement - information in the possession of a law enforcement or police unit for the purposes of law enforcement
  - SCC's Security office is NOT a law enforcement unit – records ARE considered an educational record.
  - If law enforcement information is given to a department, it becomes an educational record.



## Student Academic Records

# Access, Privacy, Security and Disposal

## What is considered a student educational record? (Exceptions)

### 3. Exception - Employment record

- **Employment record** - is NOT an educational record UNLESS employment is conditional upon the individual being a student.
  - Employment information of a college work-study student is an educational record



## Student Academic Records

# Access, Privacy, Security and Disposal

## What is considered a student educational record? (Exceptions)

### 4. Exception - Medical record

- Medical record - including psychological and counseling records
  - If a medical record is used to justify, support, or explain some situation connected to a student's status, it is an educational record.
  - Medical history information used by Health Sciences departments to qualify a student for admission in a particular program is considered an education record.
  - Medical information that is used to justify a grade change or a withdrawal is considered an educational record.

# Student Academic Records

## Access, Privacy, Security and Disposal



### What is considered a student educational record? (Exceptions)

#### 5. Exception - Alumni record

- Alumni record - a record created and maintained by the alumni association or office.
  - As long as the person is no longer "in attendance", the record is an exception.

## Student Academic Records

# Access, Privacy, Security and Disposal



## What is considered a student educational record? (Directory Information)

### ■ Directory or “public” information

- Information not generally considered harmful or an invasion of privacy if disclosed.
- May be disclosed without a student’s written consent unless a student has requested that this information not be released.
  - SCC initially notifies a student when they apply for admission. The statement signed at the end of the application contains a disclosure statement.
  - SCC annually notifies students of what information is designated as directory information through the Student Handbook.

## Student Academic Records

# Access, Privacy, Security and Disposal



### What is considered a student educational record? (Directory Information)

- **SCC Directory Information includes:**
  - Name
  - Local address
  - E-mail address
  - Major field of study
  - Participation in officially recognized activities and sports
  - Degrees and honors received
  - Dates of enrollment and current enrollment status
- Any data element not defined as Directory Information can only be released according to FERPA guidelines.



## Student Academic Records

# Access, Privacy, Security and Disposal

## Questions to be Explored – Key Concepts

- **What is FERPA at SCC?**
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## Student Academic Records

# Access, Privacy, Security and Disposal

### Who may access a student educational record? (Access without Student Consent)

- The student
- College faculty and staff members with legitimate educational interests
- Officials of other institutions in which the student intends to enroll
- Authorized representatives of federal, state, or local government
  - Includes judicial orders or subpoenas

## Student Academic Records

# Access, Privacy, Security and Disposal



### Who may access a student educational record? (Access without Student Consent)

- Authorized organizations conducting studies or determining eligibility related to testing, financial aid or instruction
- Accrediting organizations in order to carry out their accrediting functions
- In emergencies, appropriate persons if necessary to protect the health or safety of the student or others



## Student Academic Records

# Access, Privacy, Security and Disposal

### Who may access a student educational record?

#### (Parental Access)

- Parents have the of right of access to their children's education records in elementary and secondary schools.
- This right transfers to the student when he/she attends SCC.
- Parents may gain access by:
  - Obtaining the signed, written consent of the student
  - OR**
  - Establishing the student's dependency status as defined by the IRS Code



## Student Academic Records

# Access, Privacy, Security and Disposal

### Who may access a student educational record? (Spouses, Relatives, Partners Or Other Persons )

- Do Spouses, Relatives, Partners, or Other Persons (third parties) Who May Know and/or Live With the Student Have Access?
  - **No!** A third party may only be given access by obtaining the consent of the student in advance.



## Student Academic Records Access, Privacy, Security and Disposal

### Who may access a student educational record? (Student Right to Restrict Access)

- A student can restrict the release of directory information, review her/his record and file an amendment to the record?
  - **Restrict Release** - To request that directory information be made confidential, the student must notify (in writing) the Registrar' Office. If a student requests this action, it is all-or nothing.
  - SCC will not acknowledge that someone is a student.

## Student Academic Records

# Access, Privacy, Security and Disposal



## Who may access a student educational record?

### (Student Right to Review and Amend)

- **Review and Amendment** - Students may request permission to review their records through the registrar's office.
  - SCC reserves the right to require appointments for examination of records.
  - Students questioning the content of their records shall first review the records with the Registrar, Dean of Student Services or Vice President for Instruction and Student Services.
  - Upon written request by the student, all unresolved questions shall be reviewed by a committee appointed by the president.
  - Final review rests with the president.



## Student Academic Records Access, Privacy, Security and Disposal

### Who may access a student educational record? (Student Right Limitations)

- **Limitations on the right to inspect – A Student has no right of access to:**
  - Parental financial information (unless they give permission)
  - Confidential letters and recommendations to which the student has waived his/her right of inspection education
  - Records containing information about more than one student - SCC must permit access to that part of the record which pertains only to the inquiring student



## Student Academic Records

# Access, Privacy, Security and Disposal

## Questions to be Explored – Key Concepts

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## Student Academic Records

# Access, Privacy, Security and Disposal

## How does this affect what you do?

### Tips for Everyone

- Curiosity is not a valid reason to view student information.
- The ability to access student information through IIPS (ProComm) or Colleague does not authorize unrestricted use or release.
- Information on a computer should be treated with the same confidentiality as a paper copy.
- Do not leave confidential information displayed on an unattended computer.



# Student Academic Records Access, Privacy, Security and Disposal

## How does this affect what you do?

### Tips for Everyone

- Cover or put away papers that contain confidential information if you are going to step away from your desk.
- Where to get assistance - contact the Registrar or the Dean of Student Services.
- **When in doubt, do not give it out!**

# Student Academic Records Access, Privacy, Security and Disposal



## How does this affect what you do?



### Faculty – DO NOT:

- **Display student scores or grades publicly** in association with names, student ID numbers (even the last 4 digits of the SSN) or other personal identifiers.
- **Put papers or lab reports containing student names and grades in publicly accessible places.**
  - Students should not have access to the scores and grades of others.
- **Share student education record information**, including grades or grade point averages, with other faculty or staff members of the College unless their official responsibilities identify their "legitimate educational interest" in that information for the student.

# Student Academic Records Access, Privacy, Security and Disposal



## How does this affect what you do?

### Faculty – DO NOT:



- Share by phone or correspondence information from student education records, including grades or grade point averages, with parents or others outside the institution, including **letters of recommendation**, without written permission of the student.
- Circulate a printed class list with the students' names and Social Security numbers as an attendance sheet.
- Trash or recycle any personally identifiable information of a student that includes handwritten notes, etc. **Shred it** according to the record retention and disposal guidelines.

# Student Academic Records Access, Privacy, Security and Disposal



## How does this affect what you do?

Staff & Administrative Offices – DO NOT:



- Ask for students to give “personally identifiable” information in a public area where it can be over-heard by another person.
- Provide student information over the phone UNLESS you are ABSOLUTELY CERTAIN of the identity of the person on the phone.
  - Confirming personal information over the phone could be a scam to get the information essential to identity theft.
- Dispose of student information in a trash can or recycle bend. Shred it according to the record retention and disposal guidelines.

# Student Academic Records Access, Privacy, Security and Disposal



## How does this affect what you do?

Staff & Administrative Offices – DO NOT:



- Send student record information by email.
- All student employees who work with student records are REQUIRED to sign a confidentiality statement in Financial Aid and are briefed on the importance of privacy and security.
- Provide anyone not authorized with student schedules.
- Share by phone or correspondence information from student education records, including grades or grade point averages, with others outside the college, including **letters of recommendation**, without written permission of the student.



## Student Academic Records

# Access, Privacy, Security and Disposal

## How does this affect what you do?

### SCC Statement



### Communication of Student Information

SCC respects the privacy and confidentiality of student information consistent with the Family Educational Rights and Privacy Act of 1974 (FERPA), which regulates the release of student information. Therefore, the primary communication regarding student information occurs with students. However, the college recognizes and appreciates that family and others have a role in supporting students and may have an interest in a student issue. With the student's permission, academic information may be released to a third party, or a support advocate may be present with the student and participate in a productive conversation related to an issue in question. 2/2006

## Student Academic Records

# Access, Privacy, Security and Disposal



## How does this affect what you do?

### SCC Statement

### Communication of Student Information



- **FIRST**, ask the student for verbal permission before going further in a discussion of their record
- The emphasis is on **PRODUCTIVE** discussion – this means a civil discourse.
- You have the **RIGHT** to stop the discussion at any time if it ceases being productive.
- You can **REFER** the student to your Dean, the Dean of Student Services, the Registrar or the VP. Let us know.
- **We have your back!**



# Student Academic Records Access, Privacy, Security and Disposal

## How does this affect what you do?

### Violations

- A violation of FERPA could lead to a loss of Federal Financial Aid funds for SCC.



## Student Academic Records

# Access, Privacy, Security and Disposal

## Questions to be Explored – Key Concepts

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## Student Academic Records

# Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ NCCCS Records Retention and Disposition Schedule

- Created according to the provisions of Chapter 121 and 132 of the General Statutes of North Carolina
- Must be followed by all NC community colleges
- Records are to be retained and disposed of according to the schedule
- Records subject to audit or those legally required for on-going official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions in the schedule.
- Public records including machine readable records not listed in the schedule are not authorized to be destroyed.
- Records are to be kept according to the provisions of FERPA.



## Student Academic Records

# Access, Privacy, Security and Disposal

## How long do student records need to be retained?

### ■ NCCCS Records Retention and Disposition Schedule

- Records included:
  - Administrative, Office and Management Records
  - Budget and Fiscal Records
  - **Curriculum and Student Records**
  - Learning Resource Center Records
  - Legal Records
  - Personnel Records
  - Public Relations Records

# Student Academic Records

## Access, Privacy, Security and Disposal



### How long do student records need to be retained?

#### ■ Faculty and Advisors

- **Student Advisement Folders** – includes individual student folders containing interview forms, student test profiles, aptitude test scores, approved schedule forms and copies of Permanent Academic Records
  - **ACTION: Destroy** in office when administrative value ends – shred.
- **Student Test Papers** – includes master copies of examinations administered during the school year
  - **ACTION: Destroy** in office after **1 year** – shred.

# Student Academic Records Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ Student/Enrollment Services

- **Permanent Transcript Records File** – includes: Transcripts list courses taken, grades received, credit hours or quality points received, degrees or certificates granted, and other related data
  - **ACTION: Retain permanently** – 3 choices: microfilm, optical imaging, or paper file; each requires a duplicate stored off-site

## Student Academic Records

# Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ Student/Enrollment Services

- **Current Student Records File** – includes: applications for admission; high school, college, and other academic transcripts; medical records; aptitude and achievement test results; delinquent account records; and other related records
  - **ACTION:** Transfer academic records to Permanent Transcript Records File upon termination of enrollment or graduation;
    - Destroy in office delinquent account records when account is settled;
    - Destroy in office remaining records 5 years after student terminates enrollment or graduates.

# Student Academic Records Access, Privacy, Security and Disposal



## How long do student records need to be retained?

- **Student/Enrollment Services**
  - **Applications for Admissions** – includes applications for admissions submitted by individuals who wish to enroll at the college
    - **ACTION**: **Transfer accepted applications to Registrar's Office** after student enrolls to be incorporated with Current Student Records File
      - **Destroy** in office incomplete applications and applications for students not enrolling after **1 year**.

## Student Academic Records

# Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ Student/Enrollment Services

- **Enrollment and Grade Records** – includes instructors' lists of student attendance and grades – 10% rosters
  - **ACTION: Destroy** in office after **3 years** – shred.
- **Grade Reports** - includes lists of students' grades submitted by instructors to registrar for each class taught – Grade reports
  - **ACTION: Destroy** in office after **3 years** – shred.

## Student Academic Records

# Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ Student/Enrollment Services

- **Curriculum Subject Records** – includes academic standing lists, attendance records, dean's lists, graduation data sheets, grade distributions, class schedules, proposed developmental studies, reference copies of Board of Trustees minutes, memorandums, projection data, correspondence, and other related records .
  - **ACTION: Destroy** in office after **5 years** – shred.

# Student Academic Records Access, Privacy, Security and Disposal



## How long do student records need to be retained?

- Student/Enrollment Services
  - College's Class Reports Database (Electronic) File
    - **ACTION:**
      - Transfer data electronically to the NCCCS Office.
      - Retain permanently – with local plus off-site backup.

# Student Academic Records Access, Privacy, Security and Disposal



## How long do student records need to be retained?

- **Student/Enrollment Services**
  - **Semester Enrollment Summaries**
    - **ACTION**: Destroy in office when superseded or obsolete.
  - **Student Correspondence** – includes correspondence with prospective students.
    - **ACTION**: Destroy in office after **1 year** – shred.

# Student Academic Records Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ Student/Enrollment Services

#### ■ Financial Aid

- **ACTION**: Destroy in office remaining records **3 years** after individual terminates enrollment.

#### ■ Veteran Student Benefits

- **ACTION**: Destroy in office **5 years** after termination of enrollment and when released from all audits in accordance with Veteran Administration.

# Student Academic Records Access, Privacy, Security and Disposal



## How long do student records need to be retained?

### ■ Student/Enrollment Services

#### ■ Available Instructors

- **ACTION**: Destroy in office when instructor has been **inactive for 3 years**.

- **Staff Committees** – includes minutes and reports from various staff committees such as Admission and Placement; Faculty Council Hours, Degrees, and Awards; Library; Personnel; Program and Development; Research; Student Activities; and Teaching and In-service Training.

- **ACTION**: Destroy in office when administrative value ends.



## Student Academic Records

# Access, Privacy, Security and Disposal

### How long do student records need to be retained?

- All areas of SCC are covered by the retention and disposal guidelines.



## Student Academic Records

# Access, Privacy, Security and Disposal

## Key Concepts Explored

- **What is FERPA at SCC?**
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## Student Academic Records

# Access, Privacy, Security and Disposal

### New Law -

- **NC Identity Theft Protection Act of 2005**
  - **Amended G.S. Chapters 14, 75 and 132.**
    - G.S. 132-1.8. *Social security numbers and other personal identifying information.*
  - SS# can be collected by state agencies as long it is “relevant to the purpose for which collected”.
  - Must provide a statement of the purpose for which the SS# is being collected and used.
  - Must segregate that number on a separate page from the rest of the record.



## Student Academic Records

# Access, Privacy, Security and Disposal

### New Law -

#### ■ **NC Identity Theft Protection Act of 2005**

- Must NOT require an individual to transmit the SS# over the Internet, unless the connection is secure.
- Must NOT require an individual to use the SS# to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required.
- Print an individual's SS# on any materials that are mailed unless required by state or federal law.
- Intentionally communicate or otherwise make available to the general public a person's SS# or other "identifying information".



## Student Academic Records

# Access, Privacy, Security and Disposal

### New Law -

#### ■ **NC Identity Theft Protection Act of 2005**

##### ■ "Identifying Information" includes (G.S. 14-113.20):

- Social security or employer taxpayer identification numbers.
- Drivers license, State identification card, or passport numbers.
- Checking account numbers, Savings account numbers.
- Credit card numbers, Debit card numbers.
- Personal Identification (PIN) Code.
- Electronic identification numbers, electronic mail names or addresses, Internet account numbers, or Internet identification names.
- Digital signatures.
- Any other numbers or information that can be used to access a person's financial resources.
- Biometric data, Fingerprints, Passwords.
- Parent's legal surname prior to marriage.



## Student Academic Records

# Access, Privacy, Security and Disposal

### New Law -

#### ■ SCC's Response -

- Will develop a policy and guidelines for use of SS#
- Will collect the SS# for:
  - state and federal reporting,
  - reporting of financial aid,
  - reporting of student employment information



## Student Academic Records

# Access, Privacy, Security and Disposal

## Resources and Answers

### ■ Resources

- [FERPA – Rules and Regulations](#)
- [SRP – Student Records Policy # 6.23](#)
- [R & D - NCCCS Records Retention And Disposition Schedule](#)
- [NC Identity Theft Protection Act of 2005](#)

### ■ Answers

- SCC Registrar's Office, (828) 586-4091, ext 406
- Dean of Student Services (828) 586-4091, ext. 431



SCC is legally and ethically obligated to protect the confidentiality of students' records and to retain or dispose of these records according to the guidelines.