

SOUTHWESTERN COMMUNITY COLLEGE	STUDENT SERVICES <b>STUDENT RECORDS</b>	Policy 6.04.07
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All student records must be current and maintained with appropriate measures of security and confidentiality. The College is responsible for complying with all legal requirements pertaining to the maintenance, review and release of records retained by the College.

## **I. COMPLIANCE WITH FERPA RIGHTS**

- A. The Family Educational Rights and Privacy Act ("FERPA") provides students with certain rights to privacy of their educational records and rights of access by others to their educational records. College employees are expected to fully comply with this Policy.
- B. For purposes of this Policy, "student" means an individual who is or has been in attendance at the College. It does not include persons who have not been admitted, who have been admitted but did not attend the College or individuals enrolled solely in non-credit courses. "Attendance" starts when the individual matriculates or declares their intention to enroll at the College, whichever comes first.

## **II. ANNUAL NOTIFICATION OF RIGHTS**

The College shall provide every student with annual notification of their rights under FERPA. The Executive Vice President for Instruction and Student Services, or his/her designee, is responsible for preparing and delivering this annual notice.

## **III. RIGHT TO INSPECT RECORDS**

- A. Students who want to inspect their education records should direct that request to the Director of Student Records/Registrar's Office.
- B. Records which are available for inspection shall be provided to the student during regular business hours **within 35 days of request.**
- C. Students may obtain copies of their educational records if circumstances make on-site inspection impractical and the student is in good standing. **Students will receive educational record copies within 35 days of request.** When copies are provided, the student may be charged a reasonable fee for the actual copying expense.

## **IV. DIRECTORY INFORMATION**

- A. The College may release directory information. **SCC defines** Directory information ~~is defined~~ as the student's 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.
- B. Students who do not wish the above directory information released to outside persons or agencies must notify the Director of Student Records/Registrar's Office and complete an "opt out" form. Once a student completes and "opt out"

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form, a restriction will be placed on the release of the student's directory information until the student resends the "opt out" form.

## **V. RELEASE OF EDUCATIONAL RECORDS**

The College will not release a student's educational records, aside from directory information, to a third-party unless the student consents to the release or a valid, legal exception applies. Exceptions include, but are not limited to:

- A. Disclosures to School Officials with Legitimate Educational Interests. For purposes of this Policy, school officials with legitimate educational interests include:
  - 1. College faculty and other college officials with legitimate educational interests (including the College attorney).
  - 2. College officials of other institutions in which the student seeks or intends to enroll.
  - 3. Authorized representatives of federal, state or local government.
  - 4. Authorized organizations conducting studies or determining eligibility related to testing, financial aid or instruction.
  - 5. In emergencies, appropriate persons if necessary to protect the health or safety of the student or others.
  - 6. Information about deceased students may be released to a spouse, parents, or executors of a student's estate for a period of six (6) months after the death. Beyond six months, deceased student information is treated the same as other student directory information. The request for deceased student information must be in writing accompanied by an official death certificate.
- B. Disclosures to Parents/Legal Guardians. The College shall release a student's educational records to the student's parents when: i) the student is listed as a dependent on the parents' tax returns; ii) the student violated a law or the College's policies regarding drugs and alcohol and the student is under the age of 21; or iii) the disclosure is needed to protect the health or safety of the eligible student or other individuals in an emergency situation.
- C. Disclosures for Health or Safety Emergencies.
- D. Disclosures as Required by Law or Mandated by Subpoena or Court Order.

For a complete list of legal exceptions allowing disclosures without student consent, see 34 C.F.R. pt. 99 *et al.*

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## **VI. CORRECTING RECORDS**

A student has the right to challenge an item in his/her records believed to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The Dean of Students shall examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow Policy 6.03.05 – Student Grievance beginning at Step Two. If the final decision is that the information in the record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, the Dean of Students shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the College's decision.

## **VII. MISCELLANEOUS**

- A. Students who believe their rights have been violated may file a complaint with the Family Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington D.C. 20202. Complaint must be filed within 180 days of the date of the alleged violation or the date the student knew or should have known of the alleged violation.
- B. A hold may be applied to the release of an official transcript, diploma, or other information requested from an official record, for a student who has an overdue indebtedness to the College or has not completed the required Financial Aid Loan Exit Counseling (if applicable). A hold may be applied for failure to comply with a disciplinary directive issued by the Conduct Officer. Such a student continues to have the right to see and photocopy his official record upon request.
- C. The College shall destroy student records in accordance with federal and state law. The College shall not destroy student records if there is an outstanding request or grievance related to those records.

Legal Reference: 20 U.S.C. § 1232g, 34 C.F.R. pt. 99

Cross Reference: 3.03.02 – Solicitation on Campus;  
3.03.05 – Student Grievance

Adopted: April 2012

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