

Appendix 3

SAMPLE STUDENT RECORDS POLICY

This policy was approved by the _____ on _____ in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). It is the college's policy regarding appropriate access to student records while protecting their confidentiality.

DEFINITIONS

1. Student: one who is attending or has attended the college.
2. Educational records: any record in whatever form (handwritten, taped, print, film or other medium) which is maintained by the college, except the following:
 - a. personal records kept by a college staff member if the record is not revealed to others and is kept in the sole possession of the staff member;

- b. student employment records that relate exclusively to the student in the capacity of an employee;
- c. records maintained separately from educational records solely for law enforcement purposes which are revealed only to law enforcement agencies of the same jurisdiction; and
- d. medical records maintained by the college student health clinic if those records are used solely for treatment and made available only to those persons providing treatment.

RIGHTS UNDER FERPA

Students and parents of dependant students shall have the right to do the following:

- a. Inspect and review the student's education records;
- b. Request that the student's education records be amended to ensure the records are not inaccurate, misleading, or otherwise in violation of a student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent;
- d. The right to file a complaint with the U.S. Department of Education concerning the failure of college to comply with the requirements of FERPA; and
- e. The right to obtain a copy of the college's student records policy from [identify the location where the policy can be obtained].

PROCEDURE TO INSPECT EDUCATION RECORDS

Students may inspect and review their education records upon written request to [identify the custodian of records] which identifies as precisely as possible the record the student wishes to inspect.

Access will be provided within 45 days of the written request.

RIGHT OF COLLEGE TO REFUSE ACCESS

The college reserves the right to refuse to permit a student to inspect the following information:

- a. The financial statement of the student's parents.
- b. Letters of recommendation for which the student has waived his or her right of access.
- c. Records of applicants who were not admitted to the college.
- d. Records which are excluded from the FERPA definition of educational records.

The college reserves the right to refuse to provide copies of records to students with outstanding financial obligations to the college or there is an unresolved disciplinary action pending against the student.

DISCLOSURE OF EDUCATIONAL RECORDS

The college will disclose information contained in a student's educational record only with written consent of the student, with the following exceptions:

- a. to school officials, including teachers, who have a legitimate educational interest in the record;
- b. to officials of another school in which the student seeks or intends to enroll;
- c. to federal, state and local agencies and authorities as provided under law;
- d. to the parents of an eligible student if the student is claimed as a dependant for income tax purposes;
- e. to comply with a judicial order or lawfully issued subpoena; and
- f. as otherwise permitted by FERPA.

CORRECTION OF EDUCATIONAL RECORDS

1. A student must notify [identify appropriate official] of information in the student's educational record which the student believes is inaccurate, misleading, or otherwise in violation of a student's privacy or other rights.
2. If the college does not correct the student's record in accordance with the student's request, the student is entitled to a hearing.

- 3.** If the student requests a hearing, the college will notify the student of the time and place of the hearing, which will be conducted before an impartial hearing officer. The student will have the opportunity to present evidence at the hearing, and may be assisted by another individual.
- 4.** If the hearing officer determines that the information contained in the record is inaccurate, misleading, or otherwise in violation of a student's privacy or other rights, the record will be amended and the student will be notified in writing of this.
- 5.** If the hearing officer determines that the information contained in the record is not inaccurate, misleading, or otherwise in violation of a student's privacy or other rights, the student will be allowed to place a statement in the educational record stating his or her position.
- 6.** A statement contesting information contained in an educational record will be maintained as long as the information is kept in the file.

This policy was adopted, with minor alterations, from the sample policy provided in *Guidelines for Postsecondary Institutions for Implementation of the Family Educational Rights and Privacy Act of 1974 as Amended*, (American Association of Collegiate Registrars and Admissions Officers, Washington, DC, 1998).