The board of trustees of Three Rivers Community College recognizes the importance of maintaining records for each individual student, which present authentic evidence of the events and actions, which both contribute to and confirm the student's educational progress; and to facilitate the intelligent and purposeful direction necessary to the achievement of the educational goals of the student in a college setting.

State and federal laws govern the release and disclosure of student records maintained by the college. It is the responsibility of each college employee to maintain the confidentiality of student records at all times. No information other than directory information, as defined herein may be released without the signed written consent of the student. The release of non-directory student information is a violation of this policy and applicable state and federal statute and shall result in disciplinary action up to and including termination.

For The college to comply with requirements of the Family Educational Rights and Privacy Act of 1974 (FERPA), the following regulations have been established. The college accords all rights under the law to students who are declared independent. For the purpose of this regulation, whenever a student has attained eighteen years of age OR is attending an institution of postsecondary education, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student. Responsibility for protection of the privacy of student educational records rests primarily with the custodian of student records. Educational records are defined by FERPA to include records, files, documents, and other materials that contain information directly related to students and are maintained by an educational agency or institution or by a person acting for such agency or institution.

**Students' Access to Their Education Records**

All students have the right to review their educational records with the following exceptions as outlined by FERPA:

1. financial information submitted by parents.

2. confidential letters and recommendations placed in their files prior to January 1, 1975, provided these letters were collected under established policies of confidentiality and
were used only for the purposes for which specifically collected.

3. confidential letters and statements of recommendation, placed in the records after January 1, 1975, to which the students have waived their right to inspect and review and that are related to the students' admission, application for employment or job placement, or receipt of honors.

4. education records containing information about more than one student; however, in such cases the institution must permit access to that part of the record which pertains only to the inquiring student.

To review records, students and former students may go to the office of student success, present a valid photo identification card, and ask to review the record. If it is an inappropriate time to retrieve the record on short notice, students may be requested to complete a "Request to Review Education Records" form. Because of various circumstances, the college may delay to a maximum of 45 days release of the records for review.

The college is not required to provide access to records of applicants for admission who are denied acceptance or, if accepted, do not attend.

**Challenge of the Contents of Education Records**

Students may challenge information in their educational records that they believe to be incorrect, inaccurate, or inappropriate if they do so within one year of the semester in question. This challenge must be in writing and must be submitted to the custodian of records. The custodian of records must decide within a reasonable period of time whether corrective action will be taken, and must provide written notification to the student and the Chief Student Services Officer.
Students who are not provided full relief sought by their challenge must be referred to the Chief Student Services Officer who will inform them of their right to a formal hearing. Students must make their request for a formal hearing in writing to the Chief Student Services Officer. The following procedures shall apply:

1. A hearing panel that will adjudicate such challenges will be formed by the Chief Student Services Officer.

2. Within a reasonable period of time after receiving the written request for a hearing, the chairperson of the panel must inform students of the date, place, and time of the hearing reasonably in advance of the hearing.

3. Students will be afforded a full and fair opportunity to present evidence relevant to the issue raised. They may be assisted or represented at the hearing by one or more persons of their choice, including an attorney, at their expense.

4. Decisions made by the panel must be in writing, must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. The decision should be delivered in writing to the student and the Chief Student Services Officer.

   a. The office of student success will correct or amend the education record in accordance with the decision of the hearing if the decision is in favor of the student and inform the student in writing of the amendment.

   b. Should the college decide not to amend the record in accordance with the student's request, the college shall inform the student that:

      i. the student has the opportunity to place with the education record a statement commenting on the information in the record or a statement setting forth any reason for disagreeing with the decision of the hearing.

      ii. the statement placed in the education record by the student will be maintained as part of the record for as long as the record is held by the college.
Challenges to information in educational records will not be heard if more than one year has elapsed since the semester in question.

**Disclosure of Education Record Information**

The college shall obtain written consent from students before disclosing any personally identifiable information from their education records. Such written consent must: (a) specify the records to be released, (b) state the purpose of the disclosure, (c) identify the party or class of parties to whom disclosure may be made, and (d) be signed and dated by the student. FERPA states that certain information from student records may be classified as "directory information." The following information has been declared by Three Rivers Community College as "directory information:"

Name Address

Telephone listing

Date and place of birth Major field of study

Participation in officially recognized activities and sports Weight and height of a member of an athletic team Dates of attendance

Degrees and awards received

Previous educational agency or institution attended by the student

Directory information will be released to inquiring individuals or agencies unless students sign a "Do Not Release Directory Information" form in the office of student success. THIS FORM MUST BE RESUBMITTED BY

FERPA established rules stating that some personnel and agencies may have access to students' "educational records" without written consent of the student. The college will disclose information from a student's education record only with the written consent of the student except:
1. To school officials within the institution who have been determined by the college to have a legitimate educational interest in the records. School officials include counselors and instructors who are involved in counseling students, administrators who assist in counseling and who advise students with other problems, professional staff and clerical staff who directly relate to the administrative task of the college, college law enforcement officials, and college attorneys. A school official has a legitimate educational interest if the official is performing a task that is specified in his or her position description or by a contract agreement, performing a task related to a student's education, or performing a task related to the discipline of a student. When doubt is raised about an individual's "need to know" or legitimate educational interest in having access to specific information, the issue shall be decided by the college president.

2. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs.

3. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of that aid.

4. To state and local officials to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.

5. To organizations conducting certain studies for or on behalf of the college.

6. To accrediting organizations to carry out their accrediting functions.

7. To parents of eligible students who claim the students as dependents for income tax purposes. Determining dependency, as defined by Section 152 of the Internal Revenue Code, requires a copy of the parents' most recent Federal Income Tax Form. In case of a divorce, separation, or custody, when only one parent declares the student as dependent, the college will grant equal access to the student's education records upon demonstration of dependency as described above.

8. To appropriate parties in a health or safety emergency subject to a determination by the
Section: 1000 General Administration  
Sub Section: 1400 Records  
Title: GAR 1415 Confidentiality of Student Records  
Associated Policy: GAP 1415 Confidentiality of Student Records  
Supersedes: 9.2 Privacy Rights of Students  
Responsible Administrator: College President  
Initial Approval: 02-23-2011  
Last Revision: 09-16-2015

college president or designee.

9. To personnel complying with a judicial order or lawfully issued subpoena, provided that the office of student success makes a reasonable attempt to notify students in advance of compliance. NOTE: The college is not required to notify students if a federal grand jury subpoena, or any other subpoena issued for a law enforcement purpose, orders the college not to disclose the existence or contents of the subpoena.

10. To an alleged victim of any crime of violence (as that term is defined in 18 U.S.C. 16) of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

When personally identifiable information is released under the exceptions above, the college will inform parties to whom personally identifiable information is released that they are not permitted to disclose the information to others without the written consent of the students.

The college will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record is maintained in the office of student success and may be reviewed by the eligible student.

Annual Notification of FERPA Rights

The college will give annual notice to current students of their rights under the Family Educational Rights and Privacy Act of 1974 by publishing information on the college website. New students will receive information concerning their rights under the Act through the distribution of an information sheet at orientation.
Types, Locations, Custodians of Education Records, and Disposal of Records

The types, locations, and custodians of education records are outlined in GAR 1410 Records Retention and Destruction.

Facsimile Records (FAX)

The college honors FAX requests to send official transcripts to third parties, and the college will accept FAX transcripts for advising purposes only. An official transcript is required for admission purposes.

Computer Access to Records

The college has established policies for initially instructing and periodically reminding school officials of FERPA's confidentiality requirements before it gives them access to the computer system. These school officials are informed of the criteria the college uses to determine legitimate educational interest and of their responsibilities for assuring that access is not abused.

Students Rights After Ceasing Attendance or Graduation

Students who have ceased attendance or have graduated from the college have basically the same FERPA rights as students currently attending, including the right to (a) inspect their education records, (b) have a hearing to amend an education record, and (c) have their education record privacy protected by the college. Former students do not have the right to request of the college nondisclosure unless they requested in writing, at their last opportunity as students, that no directory information be disclosed.

Privacy Rights of Deceased Students

For twenty-five years following the death of a student, the release of education record information will not be made unless authorized by the student's parents or the executor/executrix of the deceased student's estate in writing.
Section: 1000 General Administration
Sub Section: 1400 Records
Title: GAR 1415 Confidentiality of Student Records
Associated Policy: GAP 1415 Confidentiality of Student Records
Supersedes: 9.2 Privacy Rights of Students
Responsible Administrator: College President
Initial Approval: 02-23-2011       Last Revision: 09-16-2015

DOCUMENT HISTORY:

02-23-2011: Initial approval of regulation GAR 1415 Confidentiality of Student Records.
09-16-2015: Revision of position title Vice President of Student Success to Chief Student Services Officer.