

## 3.9 STUDENT CONFIDENTIALITY

Original Date of Issue: 10/19/16

Revised:

### Family Educational Rights and Privacy Act (FERPA)

As outlined in the Family Educational Rights and Privacy Act (FERPA), a student has the right to have his or her educational records remain confidential. FERPA affords students certain rights with respect to their educational records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the College receives request for access. Students must submit to the Student Records Office a written request specifying the record(s) they want to inspect. The Registrar will make arrangements for access and notify the student of the time and place to inspect the record. If the Student Records Office does not maintain the records the student requested, the Registrar will advise the student of the correct official to contact.
2. The right to request the amendment of education records that students believe are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Students may ask the College to amend a record by writing to the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

FERPA was not intended to provide a process to question substantive judgments, which are properly recorded. The rights of challenge do not apply, for example, to an argument that the student deserved a higher grade in a course if the grade recorded is the grade submitted by the faculty member. See the College catalog for policies applying to grade appeals.

If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Students who wish to appeal the decision should direct their request for an appeal to the Office of the Assistant Vice President of Enrollment Services & Registrar. The College will provide the student with specific information regarding the hearing procedures upon receipt of a request for a hearing.

3. The right to consent to disclosures of personally identifiable information contained in a student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney,

auditor, collection agent, insurance agent, or official of the National Student Loan Clearing House); 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 another 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.

The College may disclose education records without consent in certain other circumstances:

- to comply with a court order or certain types of subpoenas
  - to appropriate parties in a health or safety emergency
  - to officials of another school, upon written request, in which a student seeks or intends to enroll
  - 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 the aid
  - to certain officials of the U.S. Department of Education, the Comptroller general, to state and local educational authorities, in connection with certain state or federally supported programs
  - to accrediting organizations to carry out their functions
  - to organizations conducting studies for or on behalf of the College
  - the results of an institutional disciplinary proceeding against the alleged perpetrator of a crime of violence may be released to the alleged victim of that crime with respect to that crime
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures of the College to comply with the requirements of FERPA. Contact the office that administers FERPA at: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC, 20202-4605.

### Notification of Directory Information

1. The College designates the following as public or directory information that may be released without a student's written consent, unless the student specifies to the contrary as described below:
  - student name, address, phone number, and email address
  - major field of study and degree sought or completed
  - dates of attendance
  - degrees and awards received
  - expected date of completion of degree requirements and graduation
  - full or part time enrollment status and classification (freshman or sophomore)
  - most recent previous education agency or institution attended
  - participation in officially recognized activities and sports
  - height and weight of athletic team members
  - date of birth

Delaware County Community College will release only the following directory information to telephonic requests: student name, degree sought or completed, expected dates of completion of degree requirements or graduation, and enrollment status.

2. Students may restrict the release of directory information, except to school officials with legitimate educational interest and those listed in #3 above. A student must make the request in writing at the Student Records Office within two weeks of the beginning of the semester. Requests are valid and information is withheld until the student provides the College with written notice that withholding directory information is no longer desired. Students must understand that withholding directory information prevents the College from verifying attendance or graduation to potential employers, publishing the student's name in a graduation program or dean's list, and makes athletes ineligible to participate in any activity requiring publication of a team roster.

For purposes of compliance with FERPA, the College considers all students independent or eligible students.

## **Notification of Rights under FERPA**

The College notifies students of their rights under FERPA through the Delaware County Community College Catalog, the Delaware County Community College Student Handbook, and communications to new students from the vice provost for student and instructional support services.

## **Notice of Publication of Campus Crime Statistics and Graduation Rates**

As required by the College and University Security Information Act, security information and campus crime statistics are published every year. They are also available from the Security Office.

In addition, as required by Student Right to Know legislation, graduation and transfer rates are available on the College's website.