

Bishop State Community College FERPA Policy

STUDENT RECORDS INFORMATION

For Bishop State Community College to comply with requirements of the Family Educational Rights and Privacy Act of 1974 (FERPA), the following policies and procedures have been established. Bishop State Community College accords all rights under the law to students who are declared independent. For the purpose of this policy, 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 Registrar's Office. 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. There are five exceptions to this definition of educational records as published in the GUIDELINES FOR POSTSECONDARY INSTITUTIONS FOR IMPLEMENTATION OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 AS AMENDED, Revised Edition 1995, a publication of the American Association of Collegiate Registrars and Admissions Officers.

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 Admissions and Records Office, 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 in the Admissions and Records Office. 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,

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

1. The hearing panel that will adjudicate such challenges will be the Admissions and Registration Committee.
2. Within a reasonable period of time after receiving the written request for a hearing, the chairperson of the Admissions and Registration Committee 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 Admissions and Registration Committee 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 Dean of Students.
 - a. The Admissions and Records Office 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 Bishop State Community College decide not to amend the record in accordance with the student's request, the Admissions and Records Personnel must 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 Bishop State Community College.
 - iii. this record, when disclosed to an authorized party, must include the statement filed by the student.

Challenges to information in educational records will not be heard if more than one year has elapsed since the quarter in question.

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Disclosure of Education Record Information

Bishop State Community 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 Bishop State Community College as "directory information:"

Name

Address

Telephone listing

Participation in officially recognized activities and sports

Major field of study

Weight and height of a member of an athletic team

Dates of attendance

Degrees and awards received

Photographs

Directory information will be released to inquiring individuals or agencies unless students sign a "Do Not Release Directory Information " form in the Admissions and Records Office during the first two weeks of the quarter. **THIS FORM MUST BE RESUBMITTED ANNUALLY.**

FERPA established rules stating that some personnel and agencies may have access to students' "educational records" without written consent of the students. Bishop State Community 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 by about an individual's "need to know" or legitimate educational interest in having access to specific information, the issue shall be decided by the President of Bishop State Community College.

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

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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 Bishop State Community 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, Bishop State Community 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 President or Deans.
9. To personnel complying with a judicial order or lawfully issued subpoena, provided that the Admissions and Records Office makes a reasonable attempt to notify students in advance of compliance. NOTE: Bishop State Community 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.

Bishop State Community 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.

Bishop State Community 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 redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

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Annual Notification of FERPA Rights

Bishop State Community College will give annual notice to current students of their rights under the Act by publishing information in the **Student Handbook**. New students will receive information concerning their rights under the Act through the distribution of an information sheet at orientation. Annual notification of rights will be provided to currently enrolled students in their registration packets for the fall quarter.

TYPES, LOCATIONS, CUSTODIANS OF EDUCATION RECORDS

The following is a list of the types of records that Bishop State Community College maintains, their locations, and their custodians.

TYPE	LOCATION	CUSTODIAN
Admission Records	Admissions/Records Office, Administration Building	Assistant to the Dean of Students/College Registrar
Cumulative Academic Records (Current and Former)	Admissions/Records Office, Administration Building	Assistant to the Dean of Students/College Registrar
Financial Aid Records	Financial Aid Office, Administration Building	Manager of Financial Aid
Student Account Records	Business Office, Administration Bldg	Business Manager/ Treasurer
Athletic Eligibility Records	Office of Athletic Director, Fredericka G. Cultural Centre (Gymnasium)	Athletic Director
Disciplinary Records	Office of the Dean of Students. Student Life Complex	Dean of Students
Admission Records— Emergency Medical Services (EMS)	EMS Office, Central Campus	Director of EMS Programs
Admission Records-- Associate Degree Nursing (ADN)	Nursing Office, Central Campus	Director of Nursing
Admission Records-- Physical Therapy Assistance (PTA)	PTA Office, Central Campus	Director of PTA Program

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Admission Records-- Practical Nursing (LPN)	Nursing Office, Central Campus	Director of Nursing
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Facsimile Records (FAX)

Bishop State Community College honors FAX requests to send official transcripts to third parties, and Bishop State Community College will accept FAX transcripts for advising purposes only. An official transcript is required for admission purposes.

Computer Access to Records

Bishop State Community 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 Bishop State Community 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 Bishop State Community 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 Bishop State Community College. Former students do not have the right to request of Bishop State Community College nondisclosure unless they asked, 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.

DISPOSAL OF RECORDS: The disposal of College record requirements are based on an approved general records schedule adopted by the Alabama College System.