

**THREE RIVERS COLLEGE
STUDENTS REGULATION**

Section: 2000 Students	
Sub Section: 2400 Student Records	
Title: SR 2415 Confidentiality of Student Records	Page 1 of 7
Primary Policy: SP 2415 Confidentiality of Student Records	
Associated Policy: BP 0341 Confidentiality of Student Records	
Associated Regulations: GAR 1410 Record Retention and Destruction; SR 2140 Student Appeals	
References: General Education Provisions Act, Federal Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)	
Supersedes: 9.2 Privacy Rights of Students	
Responsible Administrator: Chief Student Services Officer	
Initial Approval: 02-23-2011	Last Revision: 05-20-2020

The Board of Trustees of Three Rivers 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 regulation 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,

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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 the Registrar, 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. The student should try to resolve the issue with the instructor. If the student is still not satisfied, the 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.

If a decision is made for the student to file an appeal regarding the outcome of challenging the contents of their educational records, the College appeal process must be followed through SR 2140 Student Appeals.

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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 College as "directory information:"

- Name
- Address
- Telephone number(s)
- Email address(es)
- Date of birth
- Photo
- Major field of study
- Dates of attendance
- Full-time or Part-time enrollment status
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degree(s) and Certificate(s) awarded (including dates)
- Awards received
- Most previous educational institution attended

Directory information will be released to inquiring individuals or agencies unless students sign a "Do Not Release Directory Information" form in the Office of the Registrar. THIS FORM MUST BE RESUBMITTED BY STUDENTS EACH SEMESTER.

FERPA established rules stating that some personnel and agencies may have access to students' "educational records" without written consent of the student. The College may disclose information from a student's education record only with the written consent of the student except:

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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.

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8. To appropriate parties in a health or safety emergency subject to a determination by the College President or designee.
9. To personnel complying with a judicial order or lawfully issued subpoena, provided that the Office of Student Services 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 the Registrar 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. Students will receive information concerning their rights under the Act through an email on an annual basis.

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.

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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

The FERPA rights of a student enrolled in college cease with the death of the student.

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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.
- 02-24-2015:** Minor revision to reflect proper alignment with section and sub section. GAR 1415 Confidentiality of Students Records revised to SR 2415 Confidentiality of Student Records.
- 09-21-2016:** The College Board of Trustees approved the name change of the College from Three Rivers Community College to Three Rivers College. Clerical error changes to responsible administrator from College President to Chief Student Services Officer due to realignment that took place on 02-24-2015 and change of Office of Student Success to Office of Student Services.
- 10-20-2017:** Minor revision of directory information list and the addition of reference to College Regulation SR 2140 Student Appeals.
- 05-20-2020:** Minor revision of directory information list and revision of operational procedures that align with College operations.