



PRIVACY OF STUDENT RECORDS (FERPA) PROCEDURE

Board Bylaw:
Policy Number: 5.3003
Subject Area: Student Services
Adopted: 05/18/2020
Revised: 05/18/2020

Procedures have been established and are outlined below to maintain privacy of student records in compliance with the Family Educational Rights and Privacy Act (FERPA). The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. These rights are to be communicated to students on an annual basis as outlined in the Privacy of Student Records Policy #5.06 and include student's right to inspect their records, right to amend records, right to limit disclosure to only specified persons and right to file a complaint concerning alleged FERPA compliance failures of the College. Annual notice of these guidelines will be provided to registered students by student email and are available in the College Catalog, Student Handbook, and in the Registrar's Office.

Inspection of records

Students have the right to review and inspect all of their education records maintained by or at this College within 45 days of the day the College receives a request for access. Students should submit to the Registrar, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the college official to whom the request is submitted, that official shall advise the student of the correct official to whom the request should be addressed.

If the education records of a student contain information on more than one student, the eligible student may only inspect and review information about themselves.

Amendment of record(s)

If a student believes their education records contain information that is inaccurate, misleading, or in violation of the student's rights of privacy, he or she may contact the campus Registrar to ask to amend the record.

The student should write to the college official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the Registrar will notify the student in writing of the decision and advise the student of his or her right to a hearing regarding the request for amendment. If the student is dissatisfied with the College's decision not to amend the record, the student may contact the VP of Student Services in writing to request a hearing. The VP of Student Services or other appropriate College official will arrange a meeting within a reasonable amount of time. The student should bring documentation supporting his/her request for amending the record(s). If after the hearing the college does not amend the record, the student may place a statement in their record.

Consent to disclose personally identifiable information to a third party

Students have the right to prevent disclosure of education records to third parties with certain limited exceptions. It is the intent of this institution to limit the disclosure of information contained in education records to those instances when prior written consent has been given to the disclosure or under the provisions of FERPA, which allow disclosure without prior written consent. If a student desires to provide consent for disclosure of information contained in their education record they may complete a Release of Information Form (attached) designating to whom the information will be released and submit this form to the Registrar or designee. The Release of Information form shall be maintained in their student record.

Filing a complaint

Questions or inquiries regarding the student rights to privacy of education records shall be directed to the College Registrar. Students have the right to file a complaint concerning alleged failures by Kaskaskia College to comply with the requirements of FERPA to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave, SW, Washington, DC 20202-5920.

Exceptions for student prior consent for disclosure

The policy accompanying this procedure specifies when the College may disclose information from a student's educational record without consent. Prior consent is not required to disclose student information as follows:

1. To school officials with legitimate educational interests. 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.
2. To officials of another school where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
3. To government officials in connection with the audit and evaluation of federal and state-supported education programs.

4. To persons or organizations in connection with financial aid for which the student has applied or received.
5. To persons or organizations conducting research, studies or data collection on behalf of the College for the development of tests, administration of financial aid, or the improvement of instruction.
6. To accrediting organizations.
7. In order to comply with a judicial order or subpoena provided the College makes a reasonable effort to inform the student in advance so that the student may take protective action, except when the College is legally required to not disclose the existence of a subpoena.
8. To appropriate officials in connection with a health or safety emergency.
 - Personally identifiable information, can be released without consent, to appropriate persons (public safety, law enforcement, public health officials, and trained medical personnel) if the information released is necessary to protect the health or safety of students or other individuals.
 - Information may be released to parents of a student if a health or safety emergency involves their son or daughter.
 - These exceptions will only be in place for the period of emergency and are not a blanket release of all personally identifiable information.
 - If information is released for this circumstance, the Registrar will enter into the student's record information about the release, what information was released and the reason surrounding this disclosure without student consent. The documentation must describe the threat to health and safety that prompted the release of information and be entered into the student record immediately after the emergency has passed.
9. Information the College has designated Directory information. The College catalog provides student information regarding what the College determines to be Directory information.
10. To the victim of an alleged perpetrator of a crime of violence or non-forcible sex offense.
11. To a parent of a student enrolled at a postsecondary institution regarding the student's violation of any federal, state or local law or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance.
12. Information regarding sex offenders or other individuals required to register.

Summary

The College Registrar serves to protect the integrity and accuracy of student records. The Registrar shall be consulted for questions regarding protection of student's privacy of records and prior to release of information that is not specified in the accompanying policy and this procedure.

Approval History:
May 18, 2020