

METROPOLITAN COMMUNITY COLLEGE

DISTRICT REGULATION

7.30010 DR

STUDENT RIGHTS AND PRIVACY

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The vice chancellor of student services will ensure that district employees comply with the following provisions.

- I. Notification. The college will inform all students annually of the following:
 - A. The types of educational records and information that are currently maintained that could be used to identify individuals.
 - B. The title and address of the official currently responsible for the maintenance of each type of record; the persons who have access to those records; and the purpose for which they have, or may have, access.
 - C. The current procedure for reviewing, destroying, and/or expunging educational records.
 - D. The current procedure required for access to educational records.
 - E. The current procedure for requesting a hearing to challenge the content of educational records.
 - F. The cost which will be charged to the student for reproducing copies of the educational record—a charge that is equal to, but not more than, the cost of reproduction.
 - G. The items of information which the campus has designated as directory information, along with the deadline for individuals to apply for specific restrictions on their individual directory information items.
- II. Student Access to Educational Records. The college will provide students who are, or have been, in attendance at a college access to their educational records with the following exceptions:
 - A. Financial records of parents or any information contained in them.
 - B. Confidential letters and statements of recommendation which were placed in the educational records prior to January 1, 1975, if such letters and statements are used only for the purpose for which they are specifically intended.
 - C. If the student has signed a waiver of rights of access to confidential recommendations respecting admission, employment and/or receipt of an honor.

The college will not require students to waive their rights of access to their educational records. Persons may waive their rights of access to confidential statements on admission, employment, and/or receipt of an honor; except that the waiver will apply to recommendations only if the student is, upon request, provided

the names of all persons making confidential recommendations. Waivers will not be required as a condition for admission, receipt of financial aid, or any other services or benefits offered by the campuses.

D. The right to access will include:

1. The right to request and receive a list of educational records which are maintained by the college which contain data directly identifiable to the student.
 2. The right to inspect and review the contents of those records that pertain to the student requesting access.
 3. The right to obtain copies of those records and/or portions thereof that pertain only and directly to the person requesting copies. Charges for such copies may not exceed actual cost of reproduction.
 4. The right to a response for explanations and interpretations of educational records.
 5. The right to an opportunity for a hearing to challenge the content of those records.
- E. The college may destroy any record if not otherwise precluded by law. If a student has requested access to such record prior to the campus making its decision to destroy the record, the student will be provided a copy of such record prior to its destruction.

III. Release of Student Records.

- A. The college will not permit access to or the release of educational records or personally identifiable information contained therein (other than directory information) without the written consent of the student to any party other than the following persons or agencies:
1. Employees at the college where the student is or was enrolled or to another educational agency who has been determined by the appropriate college official to have legitimate educational interests in such records.
 2. Officials of other educational institutions in which the student seeks or intends to enroll. The student will be notified of the transfer, may receive a copy if requested, and shall have the opportunity for a hearing to challenge the content of the records.
 3. The Comptroller General of the United States, the Secretary of Health, Education and Welfare, the Commissioner of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, or duly authorized state education officials.
 4. Officials with direct responsibility for handling the student's application for, or receipt of, financial aid.
 5. Organizations or agencies conducting studies for, or on behalf of, educational agencies for the purpose of developing, validating or administering predictive tests; administering student aid programs; and/or improving instruction. Such studies will

be conducted in such a manner as will not permit the personal identification of individual students by persons other than representatives of such organizations or agencies. Such information will be destroyed or returned to the college files when no longer needed for the purpose for which the study is conducted.

6. Accrediting agencies in order to carry out their accrediting function.
 7. A person or agency named in a judicial order or lawfully issued subpoena, on the condition that the student is notified by the college of such an order or subpoena before the information is released.
 8. Appropriate officials in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons. The following factors must be considered:
 - a. The degree of the threat to the health or safety of the student or other persons.
 - b. The degree of the need for such records to meet the particular emergency.
 - c. The ability of the person, or persons, requesting student educational records to deal with the emergency.
 - d. The extent to which time is a vital factor in dealing with the emergency.
- B. The college will not release personal information on students to a third party except on the conditions that no additional person or persons will have access to that information without written consent of the students. The college will inform all third parties in writing of the requirement of the student's written consent for subsequent or additional access.
- C. Directory Information, or information that may be released to anyone means a student's name, address, telephone number, date and place of birth, major field or study, participation in officially recognized activities and sports, height and weight of athletes, dates of attendance, degrees and awards received, and the most recent previous school attended.
- D. When the consent of a student is required for the release of educational records, it will be in writing, signed and dated by the student, and will include:
1. a specification of the record(s) to be released;
 2. the reason for such release;
 3. the name(s) of the party(s) to whom such record(s) will be released

A copy of the record(s) will be provided to the student upon request.

IV. Challenges to Content of Records. Students who are or have been in attendance at a college may have an opportunity for a hearing to challenge the content of their educational records in order to ensure that the records are not inaccurate, misleading, or otherwise in violation of

their privacy or other rights. (This is not to be interpreted that grades received are challengeable, but that the recording of those grades is accurate.)

- A. The appropriate college official will attempt to settle informally any disputes with any student regarding the content of her/his educational records through meeting and discussion with the student.
- B. Upon request of either a college official or a student, a formal hearing will be conducted according to the following formal procedures:
 - 1. The hearing will be conducted and a decision rendered within 45 days following the date of receipt of a written request for such hearing. The student must be given ten days advance notice of the hearing date and informed of the right to have counsel present.
 - 2. The president will appoint a college official who has no direct interest in the outcome to conduct the hearing and render a decision.
 - 3. The student will be afforded a full and fair opportunity to present evidence relevant to the hearing.

IV. Record of Access and Release. The college will maintain a record, kept with the educational records of each student, which will indicate all parties except college officials who have requested or obtained access to a student's educational records maintained by the campus, and such record will indicate specifically the legitimate interest that each party had in obtaining the information.

This record of access will be available only to the student; to the campus official and assistants who are responsible for the custody of the records; to other college officials who have legitimate interest; and to those charged with the responsibility of auditing the operation of the system.

Approved: Chancellor
April 1, 1975

Revised: November 7, 1978