

NORTHEAST COMMUNITY COLLEGE

ADMINISTRATIVE PROCEDURE NUMBER: AP-5140.0

FOR POLICY NUMBER: BP – 5140

STUDENT PRIVACY AND RELEASE OF INFORMATION PROCEDURES

1. PROCEDURE SUMMARY STATEMENT

To establish procedures on student privacy and release of student information.

2. DEFINITIONS

N/A

3. PROCEDURE

3.1 The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The Family Educational Rights and Privacy Act affords students attending a postsecondary institution certain rights with respect to their education records. These rights include:

3.1.1 The right to inspect and review the student's education records within 45 days of the day Northeast Community College (NECC) receives a request for access. The student should submit to the Registrar a written request that identifies the record(s) he/she wishes to inspect. The Registrar will make arrangements with the Director of Accounting, Dean of Enrollment Management, Director of Financial Aid, Vice President of Student Services or other appropriate official, and notify the student of the time and place the records may be accessed. NECC will provide the student with copies of educational records or otherwise make the records available to the student if the student lives outside of reasonable commuting distance of NECC.

3.1.2 The right to request an amendment of the student's education record that the student believes is inaccurate. Students must notify in writing the NECC official responsible for the record, clearly identify the part of the record they want changed, and specify why the record is inaccurate. If NECC decides not to amend the record as requested by the student, NECC will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3.1.3 The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Northeast Community College may disclose education records without consent when:

- 3.1.3.1 The disclosure is to school officials who have been determined to have legitimate educational interests as set forth in the institution's annual notification of rights to students. A school official is a person employed by NECC in an administrative, supervisory, academic or support staff position; a person or company with whom NECC has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Governors; 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.
 - 3.1.3.2 The disclosure is to state or local educational authorities auditing or evaluating Federal or State supported education programs or enforcing Federal laws which relate to those programs;
 - 3.1.3.3 The disclosure is in connection with determining eligibility, amounts, and terms for financial aid or enforcing the terms and conditions of financial aid;
 - 3.1.3.4 The disclosure is to organizations conducting certain studies for or on behalf of NECC;
 - 3.1.3.5 The disclosure is to accrediting organizations;
 - 3.1.3.6 The disclosure is to appropriate officials in cases of health and safety emergencies;
 - 3.1.3.7 The disclosure is to state and legal authorities;
 - 3.1.3.8 The disclosure is pursuant to a lawfully issued court order or subpoena; or,
 - 3.1.3.9 The information disclosed has been appropriately designated as directory information by NECC.
- 3.1.4 Northeast Community College recognizes the following as student directory information:
- 3.1.4.1 Name(s)
 - 3.1.4.2 Names of Parents or Guardians
 - 3.1.4.3 Address (mailing and email)
 - 3.1.4.4 Telephone Number

- 3.1.4.5 Major Field of Study
- 3.1.4.6 Participation in officially recognized sports and activities
- 3.1.4.7 Weight and Height of athletic team members
- 3.1.4.8 Dates of attendance
- 3.1.4.9 Honors and awards received
- 3.1.4.10 Photographs
- 3.1.4.11 The most recent previous institution attended by the student
- 3.1.5 Release of any information, other than directory information requires written permission from the student. This permission must be signed and dated by the student, list what records are to be released, the purpose of the disclosure, and to whom the disclosure should be made. If a student so requests, a copy of the disclosure must be given to the student. If a student does not desire directory information to be released, a request in writing must be filed each semester with the Vice President of Student Services.
- 3.1.6 Northeast Community College will annually notify students in attendance of their FERPA rights. The annual notice will be available on the College website, the Student Handbook and Planner, and the College Catalog.
- 3.1.7 The right to file a complaint with the U.S. Department of Education concerning alleged failures by NECC to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:
 - Family Policy Compliance Office
 - U.S. Department of Education
 - 400 Maryland Avenue, SW
 - 401 Washington, DC 20202-4605
- 3.1.8 Complaints must:
 - 3.1.8.1 Be submitted not later than 180 days from the date the student learned of the circumstances of the alleged violation
 - 3.1.8.2 Contain specific allegations of fact giving reasonable cause to believe that a violation has occurred, including:
 - 3.1.8.3 Relevant dates, such as the date of a request or a disclosure and the date the student learned of the alleged violation;

- 3.1.8.4 Names and titles of those school officials and other third parties involved;
- 3.1.8.5 A specific description of any contact with school officials regarding the matter, including dates and estimated times of telephone calls and/or copies of any correspondence exchanged between the student and the school regarding the matter;
- 3.1.8.6 The name, address, and President of NECC;
- 3.1.8.7 Any additional evidence that would be helpful in the consideration of the complaint.

4. APPLICABILITY

N/A

ISSUE DATE: 05/01/2014

EFFECTIVE DATE: 02/25/2015

REVISION DATE(S): 04/10/1975 (item #0888); 06/11/1981 (item #2977); 09/12/1996 (item #7739); 06/1/1999 (item #8527); 03/03/2006 (item #9853); 05/01/2014; 1/19/2015; 2/25/2015

PRIOR POLICY/PROCEDURE NUMBER: 5030.a

SCHEDULE FOR REVIEW: 2020

DIVISIONS/DEPARTMENT RESPONSIBLE FOR REVIEW & UPDATE: Student Services

SPONSORING DIVISION/DEPARTMENT: Student Services

RELATED PROCEDURES/ REFERENCE: none

PROCEDURE KEY WORDS: student privacy; release of information; FERPA