



Board Procedure 500.1: Student Records

Students

The District recognizes its obligation to inform students of their rights under the Family Educational Rights and Privacy Act of 1974 (FERPA) to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings.

Definitions

“Directory Information” includes the following information relating to a student.

- Student’s name
- Degree, diplomas and any earned certificates and awards
- Dates of attendance
- Entrance year and semester
- Full-time or part-time
- Enrollment status (not enrolled, freshman, or sophomore)
- Program of Study
- Hometown

“Limited Directory Information” includes the following information relating to a student.

- Current mailing address
- Email address (school and personal)
- Current phone number

“Personally Identifiable” means that the data or information includes (a) the name of a student, the student’s parents or other family member(s), (b) the address of the student or

student's family, (c) a personal identifier, such as the student's Social Security number or student number, (d) indirect identifiers, such as the student's date of birth, place of birth, mother's maiden name, or personal characteristics which would make the student's identity reasonably traceable, or (e) other information which would make the student's identity reasonably traceable.

"Legitimate Educational Interests" are the demonstrated "need to know" by those school officials who act in the student's educational interest. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill their professional responsibility.

"Parent" includes a parent, a guardian, or an individual acting as a parent of a student in the absence of a parent or guardian. This definition includes adoptive and custodial stepparents. At the postsecondary level, FERPA rights have transferred to the student and parents have no rights under FERPA to inspect their student's education records, which will not be released to parents except in certain circumstances in which the law allows a student's education records to be disclosed to a parent without the prior consent of the student.

"Student" means any individual who is officially registered and in attendance, or who has been officially registered and in attendance, at the College, and about whom the College maintains education records. A person who has applied for admission to but has never been in attendance at the College is not a student. The right to inspect education records resides solely with the student. Parents have no rights under FERPA to their student's postsecondary education records.

"School Officials" demonstrating a legitimate educational interest within the limitations of their "need to know" may have access to student education records protected by FERPA. A school official is a person employed by the College as a faculty, administrative, clerical, medical, legal or professional employee or other person who manages student education records including the campus nurse, student employee or volunteer; a member of the Board of Trustees; a person, company or organization with whom the College has contracted or otherwise arranged to provide services that the College itself would otherwise have to provide, such as an attorney, auditor, collection agent, security service or other service provider.

Inspection and Review of Education Records

The appropriate school official will provide an opportunity for the student to inspect and review the educational records of the student within a reasonable amount of time, not exceeding forty-five (45) days, after receipt of a written request to the Registrar's office.

- The right to inspect and review may be exercised only during customary office hours of the College.
- Copies of education records will be made available to the student at a cost of 50 cents per page if such records can be easily duplicated.
- The College is not required to permit a student to inspect/review education records that are financial records of their parents, or confidential letters and statements of recommendation provided the conditions of FERPA are met, or other materials excluded from inspection/review by FERPA and other applicable law.

The term "education record" does not include: records that are in the sole possession of the maker, are used as a personal memory aid, and are not accessible or revealed to any other individual except a temporary substitute for the maker of the record; records of a law enforcement unit of the District that are created and maintained by the law enforcement unit for a law enforcement purpose, records relating to an eligible student that are created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional capacity in connection with treatment of the student and which are disclosed only to persons providing the treatment; records created or received after a person is no longer in attendance at IVCCD and which are not directly related to the person's attendance as a student; grades on peer-graded papers prior to collection and recordation by a teacher; records relating to a student employed by IVCCD that are made in the normal course of business, relate only to the student's capacity as an employee, and are not used for any other purpose, unless the student is employed as a result of their status as a student.

Description of Records

"Education record" is defined as any information recorded in any way, including documents, writings, letters, memoranda, computer documents, and other written, printed, typed, copied or developed materials, which directly relate to a student and are maintained by the District. Education records may include, but are not limited to, the following:

- Applications for admission, financial aid, or veterans training
- Standard achievement test scores
- Attendance information
- Scores on intelligence, placement, aptitude, and psychological tests
- Specialized testing results
- Health information
- Family background information
- IVCCD official reports, transcripts, grades
- Social Security number
- Proof of residency
- Deferments
- Request to Prevent Disclosure of Directory Information
- Conditional acceptance documents
- Request for Transfer Credit Form
- Credit by Exam Form
- Special Populations Form
- Application for Graduation
- Student Supplemental Data Information
- Class Rosters/Course Schedules

Any information contained within a file assigned to a particular student will be considered an education record except as may be otherwise provided by law. The District Registrar shall be the custodian of the permanent records maintained within the District.

The term “education record” does not include: records that are in the sole possession of the maker, are used as a personal memory aid, and are not accessible or revealed to any other individual except a temporary substitute for the maker of the record; records of a law enforcement unit of the District that are created and maintained by the law enforcement unit for a law enforcement purpose, records relating to an eligible student that are created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional capacity in connection with treatment of the student and which are disclosed only to persons providing the treatment; records created

or received after a person is no longer in attendance at IVCCD and which are not directly related to the person's attendance as a student; grades on peer-graded papers prior to collection and recordation by a teacher; records relating to a student employed by IVCCD that are made in the normal course of business, relate only to the student's capacity as an employee, and are not used for any other purpose, unless the student is employed as a result of their status as a student.

Disclosure of Personally Identifiable Information from Education Records

The District will not disclose personally identifiable information from the student's education records without the prior signed and dated written consent of the student, except under the following circumstances:

- Personally identifiable information from the records of a student if the information has been designated as “directory information.”
- Personally identifiable information from the records of a student if the information has been designated as “limited directory information” may be disclosed to employees of the Ellsworth Community College (ECC) Foundation or the Marshalltown Community College (MCC) Foundation that corresponds to the student's enrollment. The “limited directory information” may only be used to contact current and former students regarding official ECC Foundation or MCC Foundation events, fundraising, and membership opportunities. The ECC Foundation and MCC Foundation will not disclose the “limited directory information” with other third parties.
- Personally identifiable information from the education record of a student may be disclosed without the written consent of the student, if the disclosure is:
 - To other school officials, including teachers, within the District who have been determined by the District officials to have legitimate educational interests. This includes contractors, consultants, and volunteers for whom the District has outsourced institutional services or functions, in accordance with the conditions of FERPA.
 - To appropriate parties in a health or safety emergency if the knowledge will protect the student or other individuals;

- To comply with a judicial order or a lawfully issued subpoena, provided that a reasonable effort to notify the student, of the order or subpoena is made in advance of compliance except as otherwise provided by law;
- To accrediting organizations to carry out their accrediting functions;
- To parents of dependent students as defined in Section 152 of the Internal Revenue Code of 1986;
- To state and local officials or authorities pursuant to state statute, if the allowed reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve prior to adjudication the student whose records are released;
- The disclosure is to an alleged victim of any crime of violence or non-forcible sex offense, as defined by law, of the final results of any disciplinary proceeding conducted by the District against the alleged perpetrator of that crime with respect to that crime;
- To authorized federal or state representatives in connection with the audit and evaluation of federally or state supported educational programs, or in connection with the enforcement of, or compliance with, the federal legal requirements related to these programs;
- In connection with financial aid for the student;
- To officials of another school or institution of postsecondary education where the student seeks to enroll or is enrolled, for purposes relating to the student's enrollment/transfer;
- To parents of a student regarding the student's violation of any law or District policy/rule governing use of possession of alcohol or drugs if the District determines the student committed a disciplinary violation, and they are under the age of 21;
- Otherwise permitted by and in accordance with FERPA and other applicable law.

- Under the Solomon Amendment, student military recruiting information (name, address, telephone number, age or year of birth, level of education [e.g., freshman, sophomore] and major of currently enrolled students) will be released to military recruiters unless students have previously requested that no directory information be disclosed to third parties under FERPA.

Record of Disclosures

The District will maintain a record that will be kept with the education record of the student that indicates each request for, and each disclosure of, personally identifiable information from the education record of a student, as well as names of federal/state authorities who may make further disclosure of such information, to the extent required by law.

Such record would include:

- The parties who have requested or obtained personally identifiable information from the education record of the student, and
- The legitimate interest these parties have in requesting or obtaining the information.

The record of disclosure will be available to the student, to the school officials responsible for record maintenance, and to school officials or authorized federal/state officials for auditing the operation of record keeping.

Amendment of Educational Records

Informal Procedure

The student who believes that information contained in the education record of the student is inaccurate, misleading, or violates the student's right of privacy may request that the record be amended.

All requests will be directed to the District Registrar, shall be in writing, signed, and dated, and shall set forth what information contained in the student's education record is inaccurate or misleading or violative of the student's rights, and the reasons therefor.

The District Registrar will decide whether to amend the record of the student in accordance with the request within two (2) weeks of the date of receipt of the

request and will notify the student, in writing, of their decision. In the event it is decided not to amend the education record as requested, the written notice will advise the student of their right to a hearing to challenge the content of the education record.

Formal Procedure

The appropriate District official will, upon receipt of a written request from the student, provide an opportunity for a hearing to challenge the content of a student's education record to ensure that the information contained therein is not inaccurate, misleading or in violation of the privacy rights of the student.

The District Registrar will hold the hearing within two (2) weeks of the date of receipt of said request and will give written notice to the student, of the date, time, and place of the hearing at least five (5) days prior to the date of the hearing.

The hearing may be conducted by the District Registrar or any official of the District who does not have a direct interest in the outcome of the hearing.

The student will be afforded a full and fair opportunity to present relevant evidence and may be assisted or represented by individuals, including an attorney of their choice and at their expense.

Within one (1) week from the date of the hearing, the official who held the hearing will render a written decision, based solely upon the evidence presented at the hearing, which will include a summary of the evidence, the conclusions drawn therefrom and reasons for same, and the corrective measures taken, if any.

If the official who conducted the hearing decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student they will inform the student of the right to place in the student's educational record comments concerning the questioned information in the education record and/or which set forth any reasons for disagreeing with the results of the hearing.

Annual Notification of Rights

The District will provide students currently in attendance with annual written notice of the following:

- A summary of the rights set forth in these guidelines and the location where copies of these guidelines and the related Board policy may be obtained.

- The right to file complaints concerning alleged violations of this policy with the District and/or the Federal Family Policy Compliance Office of the U.S. Department of Education.
- The fact that the District forwards records on request to a school to which a student seeks or intends to enroll or is enrolled, for enrollment/transfer purposes.
- The categories of personally identifiable information which have been designated as directory information and the right of the student to preclude release of any or all of the directory information upon written notice to the District, and the period of time to do so.
- The right and procedure to inspect or review the student's education record.
- The right and procedure to seek amendment of the student's education record that a student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
- The right to consent to disclosures of personally identifiable information contained in the student's education record, except to the extent disclosure without consent is authorized by FERPA and other applicable law.
- Criteria for determining who constitutes a school official and what constitutes a legitimate educational interest with respect to disclosures of personally identifiable information from a student's education record to such persons without consent.

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Legal Reference

None

Related Administrative Rules and Regulations

None

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Formerly Board Procedures 501.1 and 501.2