

Student Records

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. FERPA defines education records as those records that are: (1) directly related to a student; and (2) maintained by an educational agency or institution, or by a party acting for the agency or institution.

Under FERPA, an eligible student is a student who is 18 years of age or older *or* who attends a postsecondary institution. FERPA provides parents certain rights with respect to their child's K-12 education records; however, once a student reaches the age of 18 or enters college, the rights previously held by the parent transfer exclusively to the student. Isothermal Community College students are notified annually of their rights under this law through the *College Catalog and Student Handbook*, which is available across campus in print and on the college website. Further information regarding the policy and procedures used to enforce it are available in Student Services. These rights include:

1. A student has the right to inspect and review their education records within 45 days after the day the College receives a request for access. A student should submit to the registrar a written request that identifies the record(s) the student wishes to inspect. The registrar or designee will arrange 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 Records Office, the registrar shall advise the student of the correct official to whom the request should be addressed.
2. A student has the right to request the amendment of their education records they believe are inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA.

A student who wishes to ask the College to amend a record should write the registrar, clearly identify the part of the record they want changed, and specify why it should be changed.

If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and their 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.

1. A student has the right to provide written consent before the College discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or complaint review committee. A school official also may include a volunteer or contractor outside of the College who performs an institutional service or function for which the College would otherwise use its own employees and who is under the direct control of the College with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or a student volunteering to assist another school official in performing their tasks. A school official has a legitimate

educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the College.

Upon request, the College also may disclose education records, including disciplinary records, without consent, to officials of another school in which a student seeks or intends to enroll. FERPA does not require that the College notify a student when records are disclosed to institutions where the student seeks or intends to enroll, and the College reserves the right to disclose these records without consent or notification.

A student has the right to file a complaint with the US Department of Education concerning alleged failures by the College 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
Washington, DC 20202

FERPA permits the disclosure of PII from student education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. The College may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within the College whom the College has determined to have legitimate educational interests. This includes contractors, early college officials, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. §99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled, such as high school personnel, if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. §99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the College's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. §99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To comply with a judicial order or lawfully issued subpoena. §99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the College has designated as directory information under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the College's rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))

At its discretion, the College may disclose directory information in accordance with the provisions of FERPA to include student name; major field of study; dates of attendance; degrees, honors, and awards received; college email address; photograph; participation in officially recognized activities; enrollment status; and previous schools attended.

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