

THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

Central Alabama Community College complies with the Family Educational Rights and Privacy Act of 1974 as amended (FERPA) which provides that all students and former students of Central Alabama Community College have the right to inspect and review their educational records (includes records, files, documents, and other materials that contain information directly related to students and are maintained by an educational agency or institution or by a person acting for such agency or institution.) Responsibility for protection of the privacy of student educational records rests primarily with the Registrar. Under the law, at the postsecondary level, parents have no inherent rights to inspect a student's educational records. The right to inspect is limited solely to the student. Records may be released to parents only if one of the following conditions has been met: (1) through the written consent of the students, (2) in compliance with a subpoena, or (3) by submission of evidence that the parents declare the student as a dependent on their most recent Federal Income Tax form. Outlined below are four limitations which exist on students' rights to inspect and review their educational records as published in the Guidelines for Postsecondary Institutions for Implementation of the Family Educational Rights and Privacy Act of 1974 As Amended, Revised Edition 2000, a publication of the American Association of Collegiate Registrars and Admissions Officers.

Students' Access to Their Educational Records

All students have the right to review their educational records with the following exceptions as outlined by FERPA:

I. Financial information submitted by parents.

II. Confidential letters and recommendations placed in their files prior to January 1, 1975, provided these letters were collected under established policies of confidentiality and were used only for the purposes for which specifically collected.

III. Confidential letters and statement of recommendation, placed in the records after January 1, 1975, to which the students have waived their right to inspect and review and that are related to the students' admissions, application for employment or job placement, or receipt of honors.

IV. Educational records containing information about more than one student; however, in such cases the institution must permit access to that part of the record that pertains only to the inquiring student.

To review records, students and former students may go to the respective office of record (ex. Office of Enrollment Services, Office of Records, and Financial Aid Office), present a valid photo identification card,

and request a review of the record. Students may also complete a Request to Review Educational Records Form to expedite the process. The College may delay the release of the records for review for up to 45 days contingent upon the circumstances. The College is not required to provide access to records of applicants for admission who are denied acceptance or, if accepted, do not attend.

Student educational records are defined as those records, files, documents, and other materials that contain information directly related to a student and are maintained by the College. Specifically excluded from the definition of “educational records” and not open to student inspection are the following:

I. Records of instructional, supervisory, and administrative personnel which are in the sole possession of the maker and accessible only to the maker;

II. Records of campus security;

III. Records which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a professional capacity or assisting in that capacity and which are created, maintained, or used only in connection with the provision of treatment to the student and are not available to anyone other than persons providing such treatment or who could not be involved officially within the College, but such records are available to a physician or appropriate professional of the student’s choice.

Challenge of the Contents of Educational Records

Students may challenge information in their educational records that they believe to be incorrect, inaccurate, or inappropriate. The deadline for challenging an educational record will be three calendar years from the term in question. This challenge must be in writing and must be submitted to the Dean of Instruction. The Dean will decide within a reasonable period of time whether corrective action will be taken, and the Dean will provide written notification to the student and the Office of Records of the corrective action that has been approved. Students who are not provided full relief sought by their challenge must be referred to the Dean of Students who will inform them of their rights to a formal hearing. The grievance policy is outlined in the student handbook section of this catalog.

The final decision of Central Alabama Community College shall be in writing, shall be based solely on the evidence presented at the hearing(s), and shall include a summary of the evidence and the reasons for the decision. The decision shall be delivered to all parties concerned who have a legitimate educational interest.

I. The Associate Dean of Student Services will correct or amend the educational record in accordance with the decision of the hearing if the decision is in favor of the student and inform the student of the amendment in writing.

II. If Central Alabama Community College decides not to amend the record in accordance with the student's request, the Dean of Students will inform the student that:

- a. The student has the opportunity to place with the educational record a statement commenting on the information in the record or a statement setting forth any reason for disagreeing with the decision of the hearing.
- b. The statement placed in the educational record by the student will be maintained as part of the record for as long as the record is held by Central Alabama Community College.
- c. This record, when disclosed to an authorized party, must include the statement filed by the student.

Exceptions to any of the above will only be made in the case that the college has made an error that is detrimental to the student. Any exceptions must be approved by the President.

Disclosure of Educational Record Information

Central Alabama Community College shall obtain written consent from students before disclosing any personally identifiable information from their education records. Such written consent must: (a) specify the records to be released, (b) state the purpose of the disclosure, (c) identify the party or class of parties to whom disclosure may be made, and (d) be signed and dated by the student.

FERPA states that certain information from student records may be classified as "directory information". The following information has been declared by Central Alabama Community College as directory information: name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, honors, photographs made at college events on or off campus, weight and height of athletic team members, dates of attendance, degrees and awards received, and the most recent school attended by the student. The information will be released to inquiring individuals or agencies unless students sign a Do Not Release Directory Information form in the Office of Enrollment Services. This order will remain in effect for one year from the date of submission and must be updated annually. Photos may be used for publicity and recruitment purposes. Directory information may be denied when it is deemed by the Dean of Students/Associate Dean of Student Services that it is not in the best interest of the student or the College. According to FERPA guidelines, Central Alabama Community College may release students' educational records to the following without prior written consent from the student:

I. To school officials within the College who have been determined by the College to have a legitimate educational interest in the records. School officials include counselors and instructors who are involved in counseling students, administrators who assist in counseling and who advise students with other problems, professional staff and clerical staff who directly relate to the administrative task of the College, and College attorneys. A school official has a legitimate educational interest if the official is performing a task that is

specified in his/her job description or by a contract agreement, performing a task related to a student's education, or performing a task related to the discipline of a student. When doubt is raised by the Dean of Students/Associate Dean of Student Services about an individual's "need to know" or legitimate educational interest in having access to specific information, the issue shall be decided by the President of Central Alabama Community College.

II. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs.

III. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of that aid.

IV. To state and local officials to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.

V. To organizations conducting certain studies for or on behalf of Central Alabama Community College.

VI. To accrediting organizations to carry out their accrediting functions.

VII. To parents of eligible students who claim the students as dependent for income tax purposes. Determining the dependency, as defined by Section 152 of the Internal Revenue Code, requires a copy of the parents' most recent Federal Income Tax Form.

VIII. To appropriate parties in a health or safety emergency, subject to a determination by the President or Deans.

IX. To personnel complying with a judicial order or lawfully issued subpoena, provided that the Registrar's Office makes a reasonable attempt to notify students in advance of compliance.

NOTE: Central Alabama Community College is not required to notify students if a federal grand jury subpoena, or any other subpoena issued for a law enforcement purpose, orders the College not to disclose the existence or contents of the subpoena.

X. To an alleged victim of any crime of violence (as that term is defined in 18 U.S.C. 16) of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

A complete view of FERPA guidelines is available in the offices of the Dean of Students/Associate Dean of Student Services.

Facsimile Records (FAX)

Central Alabama Community College honors FAX requests to send official transcripts to third parties, and Central Alabama will accept FAX transcripts for advising purposes only. An official transcript is required for enrollment purposes.

Computer Access to Records

Central Alabama Community College has established policies for initially instructing and periodically reminding school officials of FERPA's confidentiality requirements before it gives them access to

the computer system. These school officials are informed of the criteria Central Alabama uses to determine legitimate educational interest and of their responsibility for assuring that access is not abused.

In addition, Central Alabama Community College will inform parties to whom personally identifiable information is released in any manner that they are not permitted to disclose the information to others without the written consent of the students.

Central Alabama Community College will maintain a record of all requests for and/or disclosure of information from a student's educational records. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

Annual Notification of FERPA Rights

Central Alabama Community College will give annual notice to current students of their rights under the Act by publishing information in the Catalog.

Privacy Rights of Deceased Students

For twenty-five years following the death of a student, the release of educational record information will not be made unless authorized by the student's parents or the executor/executrix of the deceased student's estate.

Violations of FERPA

A complete copy of the Family Education Rights and Privacy Act of 1974, 20 U.S.C. 1232 g., is available upon request for review in Student Services on the Alexander City and Childersburg campuses and the Talladega Center. Any complaints or violations of FERPA may be reported to The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202- 5920; 205/260-3887; FAX: 202/ 260-9001, website: www.ed.gov/policy/gen/guide/fpc/index.html, email: ferpa@ed.gov.

To review and obtain a paper copy of the Annual Notification of Rights under FERPA, please contact the Office of Records at (256) 378-2001.