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Board Policy

RELEASE OF STUDENT INFORMATION

1. **INTRODUCTION/PURPOSE**

The Family Educational Rights and Privacy Act of 1974 (“FERPA”), as amended as well as California law, sets forth requirements designed to protect the privacy of student educational records. The law governs access to records maintained by Glendale Community College (“College”) and the release of information from those records. State and Federal law grants students the right to inspect and review their educational records, to seek to have their records amended and to have some control over the disclosure of information contained in the records.

Students will be notified of their FERPA rights by publication in the Schedule of Classes and/or on the official College internet web site.

Copies of FERPA, 20 U.S.C. Section 1232g, 34 C.F.R. Section 99.1 et seq., California Education Code Section 76200 et seq., California Code of Regulations, 5 C.C.R, Section 54600 et seq., and this policy are available for persons to examine in the Office of Admissions and Records at the College.

2. **DEFINITIONS**

A. "Student" means, but is not limited to, an individual who currently attends, or who formerly attended, the College in person or by correspondence or by working under a work-study program and with respect to whom the College maintains education records. The term does not apply to applicants for admission, nor does it apply to persons who have been admitted but who have not registered.

B. “Education Records” means any item of information or data, other than directory information, which is directly related to an identifiable student maintained or required to be maintained by the College, whether recorded by handwriting, print, tapes, film, microfilm or other means. The term “Education Record” does not include the following records or information contained therein:

1. Information compiled or maintained by a College officer or employee, appropriate for the performance of his or her responsibilities, which remains in the sole possession of the maker and are not accessible or revealed to any other person except a

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substitute. For purposes of this subdivision, "substitute" shall mean a person who performs on a temporary basis the duties of the individual who compiled or maintained the information.

2. Records maintained by the College Campus Police that were created by the College Campus Police for the purpose of law enforcement if the record is maintained solely for law enforcement purposes, is necessary and appropriate to enable the Campus Police to carry out its duties and responsibilities, is revealed only to law enforcement agencies in the same jurisdiction, is kept apart from other education records and the Campus Police or personnel does not have access to education records maintained by the College.
 3. Employment information or records maintained in the normal course of business pertaining to individuals employed by the College provided that such information relates exclusively to the individual in his or her capacity as an employee and is not available for use for any other purpose.
 4. Information provided by a student's parents relating to applications for financial aid or scholarships.
 5. Information related to a student created or maintained by physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity and used only in the treatment of the student and not available to individuals other than those providing the treatment. The student may request that the record be made available to a physician or other comparable, appropriate professional for review.
 6. Confidential letters and statements of recommendations maintained by the College on or before January 1, 1975, provided that such letters and statements are not used for purposes other than those for which they are intended.
 7. Alumni records which contain information about a student after he or she is no longer in attendance at the College and which do not relate to the person as a student.
- C. The District defines "Directory Information" to mean the following items: one or more of the following items: student name, email address, major field of study, dates of attendance, degrees, honors and awards received, and most recent previous institution attended.

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3. STUDENT INFORMATION MAINTAINED IN EDUCATION RECORDS

The College may establish and maintain in education records only such information on students relevant to admission, registration, academic history, career, student benefits or services, extracurricular activities, counseling and guidance, discipline or matters relating to student conduct.

4. RIGHT TO INSPECT EDUCATION RECORDS

Any currently enrolled or formerly enrolled student has the right of access to any and all education records relating to him or her maintained by the College. Access means a personal inspection and review of a record, an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record, or a request to release a copy of any record. The student shall be permitted to select the means of access.

Students may access their education records upon request to the Admissions and Records Office at the College. Students should submit to the Office a written request which identifies as precisely as possible the record or records he or she wishes to access.

The Office will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected and/or obtained. Access must be given no later than fifteen (15) working days following the date the request is received.

When a record contains information about more than one student, the student may inspect and review only the records which relate to him/her.

5. RIGHT OF THE COLLEGE TO REFUSE ACCESS

The College reserves the right to deny access to the following records:

1. The financial statements or records of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access as provided by Education Code Section 76231 as long as any such waivers are in writing and signed by the student.
3. Those records which are excluded from the FERPA definition of education records.

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6. REFUSAL TO PROVIDE COPIES

The College reserves the right to deny official transcripts or copies of records not required to be made available by FERPA or the California Education Code in any of the following situations:

1. The student has an unpaid financial obligation to the College or
2. There is an unresolved disciplinary action against a student.

7. FEEES FOR COPIES OF RECORDS

The fee for the furnishing of copies of any education record will be determined in accordance with the College fee policy. The College will not charge for furnishing up to two transcripts of students' records or up to two verifications of various records of students.

A fee will not be charged to search for or retrieve any student education record.

8. DISCLOSURE OF EDUCATION RECORDS without written consent

The College may disclose information from a student's education records only with the written consent of the student or under judicial order, except that access may be permitted to the following:

- A. To school officials who have a legitimate educational interest in the records.
 1. A school official is:
 - a. A person employed by the College in an administrative, supervisory, academic or research, or support staff position.
 - b. A person elected or appointed to the Board of Trustees.
 - c. A person employed or retained by or under contract to the College to perform a special task, including but not limited to representing the College or its

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employees or conducting an official audit.

- d. A student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.
2. A school official has a legitimate educational interest if the official is:
- a. Performing a task that is specified in his or her position description or responsibilities designated by a contract agreement or state law.
 - b. Performing a task related to a student's education.
 - c. Performing a task related to the discipline of a student.
- B. To officials of other public or private schools, upon request, in which a student seeks or intends to enroll, or is directed to enroll.
- C. To certain officials of the U.S. Department of Education, the Comptroller General of the United States, and state and local educational authorities, in connection with an audit, authorized representatives of the U.S. Attorney General for law enforcement purposes, or certain state or federally supported education programs.
- D. Agencies or organizations in connection with a student's application for or receipt of financial aid, provided the information is disclosed only as necessary for determination of the student's eligibility for financial aid, the amount or conditions of the financial aid, or to enforce the terms and conditions of the financial aid.
- E. If required by state law requiring disclosure that was adopted before November 19, 1974.
- F. To organizations conducting certain studies for or on behalf of the College.

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- G. To accrediting organizations to carry out their functions.
- H. To parents of an eligible student who claim the student as a dependent for income tax purposes.
- I. To comply with a court order or a lawfully issued subpoena. The College will make a reasonable effort to notify the student in advance of compliance of a lawfully issued subpoena and, in the case of compliance with a court order, if lawfully possible within the requirements of that order.
- J. To appropriate parties in an emergency if the information is necessary to protect the health or safety of a student or other persons.
- K. To an alleged victim of any crime of violence, the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.
- L. To release information designated as directory information by the College unless student has requested such directory information be withheld.
- M. To a victim of an alleged perpetrator of a crime of violence or sexual assault if the College determines, as a result of a disciplinary hearing, that the student committed such acts in violation of college rules or policy or state or federal law, as authorized by state law.
- N. To a parent or legal guardian of a student, information regarding any violation of college policy, or state, federal or local law, governing the use or possession of alcohol or a controlled substance if the student is under the age of 21 at the time of the disclosure and it is determined that he/she committed a disciplinary infraction, as authorized by state law.
- O. To a court in which the College is defending itself against legal action initiated by a parent or eligible student.

9. DISCLOSURE OF EDUCATION RECORDS WITH CONSENT OF STUDENT

The College may permit access to student education records to any person for whom the student has executed a signed, written consent specifying the records to be released and identifying the party or class of parties to whom the records

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may be released. The College will permanently keep the consent notice with the student's record file.

10. RECORDS OF REQUESTS FOR DISCLOSURE

The College will maintain a log or record for each student's education record listing all persons, agencies, or organizations requesting or receiving information from the education record, and the log or record will be maintained as long as the education record is maintained. 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 or log shall be open to inspection only by the student and College officials or designees responsible for the maintenance of student education records.

It is not necessary to maintain a record of the request for information if it was made to or the request was from: the student; a school official as defined in this policy; a party with written consent from the student; a party seeking directory information; or a party with a law enforcement subpoena or court order which specifies that the existence or contents of the subpoena or court order not be disclosed.

11. DISCLOSURE OF DIRECTORY INFORMATION

The College has designated the following items as directory information: student name, email address, major field of study, dates of attendance, degrees, honors and awards received, and most recent previous institution attended. The College may disclose any of those items as to students and former students.

The College will not release directory information regarding a student or former student who has notified the College, in writing, that such information shall not be released. Notification must be received by the end of the second week of a fall or spring semester or by the end of the first week of a winter or summer inter-sessions by signing and dating a request form in the Office of Admissions and Records. Individuals applying to the College will be given the same opportunity to restrict disclosure of directory information when completing the application for admissions.

12. CORRECTION OF EDUCATION RECORDS

Any student has the right to request that the College correct or remove information contained in the student's education record alleged to be: (a) inaccurate; (b) misleading; (c) an unsubstantiated personal conclusion or inference; (d) a conclusion or inference outside of the observer's area of competence; (e) not based on the personal observation of a named person with

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the time and place of the observation noted; or (f) in violation of the student's privacy rights. This procedure does not apply to routine grade appeals. Grade appeal procedures are outlined in the College catalog. The following procedures apply to the correction of education records other than grade appeals:

- A. The request to correct a record must be submitted in writing to the Vice President, Student Services. The request must identify the part of the record the student wants corrected or removed and must specify the reason why the student believes the information or record should be amended.
- B. Within thirty (30) days of receipt of the request, the Vice President, Student Services or his/her designee will meet with the student and the employee who recorded the information in question. The College may decide to grant or deny the request. If granted, the appropriate records will be amended. If the request is denied, the College will notify the student of the decision and advise him/her of his/her right to a hearing to challenge the information in question.
- C. If the College denies the student's allegations and refuses to order the correction or removal of the information in question, the student, within 30 days of the refusal, may appeal the decision in writing to the College Judicial Board.
- D. The College Judicial Board shall hold a hearing within thirty (30) days of receipt of the student's written request for appeal. Written notice of the date, place and time of the hearing shall be mailed to the student at least ten (10) days prior to the date of the appeal hearing.
- E. The Chairperson of the College Judicial Board will conduct the appeal hearing, in closed session, with the student and the College employee who recorded the information in question. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the education records. The student, at his or her expense, may be represented by one or more individuals of his or her choice, including an attorney.
- F. The College Judicial Board will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

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- G. If the College Judicial Board sustains any or all of the student's allegations, it shall order the College to immediately correct or remove and destroy the information. The College will notify the student, in writing, that the record has been amended.
- H. If the College Judicial Board denies the student's allegations, it will notify the student that he/she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement shall become a part of the student's education records as long as the challenged information is maintained. If the College discloses the challenged information in the record, it must also disclose the statement.
- I. The decision of the College Judicial Board shall be final.

13. RIGHT TO FILE A COMPLAINT

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA within 180 days of the alleged violation. The complaint may be filed with the office responsible for administering FERPA and may be sent to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Reference: The Family Education Rights and Privacy Act of 1974 (FERPA)
California Education Code Section 76200 et seq.

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