



STUDENT RECORDS POLICY

A. INTRODUCTION

The Family Educational Rights and Privacy Act (“FERPA”) of 1974, as amended, is a federal law designed to protect students’ education records and ensure that institutions of higher education maintain the confidentiality of these education records. Students’ primary rights under FERPA are the right to inspect and review their education records, to have some control over the disclosure of personally identifiable information from these records, and to have a mechanism for seeking to amend these records. Educational institutions must notify students annually of their FERPA rights in accordance with the institution’s adopted procedures. Suffolk County Community College (“SCCC” or “the College”) notifies students of their FERPA rights by publication in the schedule of classes, College catalog, student handbook, and on the College’s website. It is the responsibility of the Office of the College Registrar to ensure that appropriate notification occurs.

B. DEFINITIONS

1. **Student** – any person who attends or has attended SCCC (i.e., taking either credit or non-credit courses), and for whom SCCC maintains education records.
2. **Education Record** – any record maintained by SCCC (or an agent of SCCC) that is directly related to a student, except as listed below. These records may be maintained in various ways, including print, microfilm, tape and electronic media.

Education records do not include:

- Medical treatment records¹
- sole possession records (e.g., private notes of a faculty member)
- records created and maintained by the College Office of Public Safety for purposes of law enforcement
- employment records, other than records related to student employment at the College (e.g., work-study)
- alumni records
- financial records of parents

¹ Records made or maintained by a psychiatrist, psychologist, physician or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, 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, except that such records can be personally reviewed by a physician or other appropriate professional of the student’s choice.

3. School Official – a person employed by SCCC in an administrative, supervisory, academic, research or support staff position; a person retained as a contractor, consultant, volunteer, or other party to whom the school has outsourced services or functions authorized by, or under contract to SCCC, to perform a special task, such as an attorney or auditor; a person serving on the Board of Trustees; a student serving in an official capacity, such as membership on a disciplinary or grievance committee.

C. STUDENTS' RIGHTS TO INSPECT AND ACCESS EDUCATION RECORDS

1. Students may review the contents of their education records by making a written request to the Chief Campus Student Affairs Officer on their home campus. A meeting will be scheduled within a reasonable period of time, at which time the records may be reviewed.

2. Original records may not be removed from the College. Students may receive copies of their education records through established procedures. However, students who have a financial obligation to the College will not be provided with copies of their records, including transcripts. Also, copies of records that did not originate at SCCC, such as high school or transcripts from other colleges, will not be provided.

3. SCCC is not required to permit students to review the following records:

- financial information submitted by their parents
- confidential letters and recommendations associated with admissions, employment, or job placement or honors to which students have waived their rights of inspection and review
- confidential letters and recommendations placed in students' files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected
- education records containing information about more than one student, in which case SCCC will permit access only to that portion of the record which pertains to the inquiring student.

D. STUDENTS' RIGHTS TO CHALLENGE AND CORRECT EDUCATION RECORDS

1. If a student feels that his/her education records contain information that is inaccurate, misleading or in violation of the student's right of privacy, a request may be made to have these records amended. The student should first bring this request to the Chief Campus Student Affairs Officer who will discuss the matter with the student and attempt to arrive at a mutually-acceptable resolution.

2. If an agreement cannot be reached, the student may request a hearing to challenge the contents of the record. A hearing will be conducted by a hearing panel comprised of the College Registrar or designee, a student selected by the Director of Campus Activities (preferably from the student governing body), a faculty member selected by the Chief Campus Academic Affairs Officer, and the Vice President of Academic and Student Affairs, who will serve as the non-voting chairperson. The hearing will be conducted within a reasonable amount of time after the student's request. The student may elect to be assisted by an advisor or attorney at the student's expense.

3. If the hearing panel determines that the record in question does, in fact, contain information that is misleading, inaccurate or a violation of the student's right of privacy, the panel will notify the student of such determination, in writing, within five (5) business days after the close of the hearing. If the hearing panel determines that the record does *not* contain information that is

misleading, inaccurate or a violation of the student's right of privacy, the panel will notify the student of such determination, in writing, within five (5) business days after the close of the hearing, and advise, further, that the student may submit a written statement, disagreeing with the decision. This statement will be attached to the challenged record and maintained by SCCC as part of the student's education record.

E. THIRD PARTY ACCESS TO STUDENT INFORMATION

Third party access to information contained in a student's education records will not be permitted without the prior written consent of the student, except to the following individuals under the circumstances described below:

1. To SCCC officials who have a legitimate educational interest in a student's records. A SCCC official has a legitimate educational interest in reviewing or assessing a student's records if the official is:

- performing a task that is specified in his or her position description or contract;
- performing a task directly related to a student's education
- performing a task related to student discipline;
- providing a service or benefit relating to the student or student's family;
- maintaining the safety and security of the campus.

2. To appropriate parties (such as law enforcement officials and SCCC Public Safety Officers, public health officials, trained medical personnel, including school nurse, physician and psychologist, and parents) in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals;

3. to officials of another institution to which a student seeks or intends to enroll, or with which SCCC has a joint admissions and/or articulation agreement;

4. to certain officials of the U.S. Department of Education, Office of the Comptroller and U.S. Attorney General, and state and county educational authorities, in connection with audit or evaluation of certain state- or federally-supported education programs, or improvement in instruction;

5. to appropriate officials in connection with a student's request for or receipt of financial aid to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;

6. to organizations conducting certain studies for or on behalf of SCCC, upon the prior approval of the College Registrar, in consultation with the Office of Legal Affairs;

7. to accrediting organizations to carry out their functions;

8. to comply with a federal or New York State judicial order or lawfully issued subpoena² (i.e., after providing the student with written notification and a reasonable amount of time to take appropriate legal action, if warranted, and notify the College, accordingly), unless the disclosure is in compliance with a subpoena issued for law enforcement purposes where the court has ordered the existence or the contents of the subpoena not be disclosed. The Office of the College General Counsel should be contacted if a subpoena for a student's records which directs or requests that the student not be informed is received.

9. to individuals requesting directory information so designated by SCCC, in accordance with the provisions outlined under paragraph (F), herein.

² NOTE: subpoenas served on SCCC for production of student records must be forwarded immediately to the College General Counsel to ensure timely compliance.

10. to organizations designated by SCCC to collect student obligations owed to SCCC;
11. to the alleged victim of a crime of violence or non-forcible sex offense in connection with the final results of any disciplinary proceeding conducted by SCCC against the alleged accused of said conduct;
12. to U.S. military recruiters pursuant to the Solomon Amendment;
13. to a court or legal counsel if a student or parent has initiated legal action against SCCC, or if SCCC has begun legal action against a student or parent;
14. as needed, to comply with other federal legislation passed subsequent to FERPA.

F. DIRECTORY INFORMATION

1. Certain information, known as “directory information,” may be released by SCCC without the prior consent of the student, if considered appropriate by SCCC officials. Requests for directory information must be submitted in writing, by letter or facsimile, to the Office of the Registrar. Suffolk County Community College designates the following items as directory information:

- Student’s name
- Student’s Address (permanent, local and email)
- Student’s telephone number (permanent and local)
- Student’s photograph
- Student’s dates and status of enrollment
- Student’s major field of study
- Student’s honors, awards or special recognition
- Student’s weight and height, if a member of an athletic team
- Student’s prior schools attended and degrees awarded
- Student’s participation in officially-recognized activities and sports

2. Only staff members in the Office of the Registrar, the Office of Student Affairs or the Office of Legal Affairs, who have received appropriate FERPA training, may respond to requests for directory information.

3. A student may request that directory information *not* be released under any circumstances by completing the “Request to Prevent Disclosure of Directory Information” form. This form must be submitted to the campus Registrar’s Office, and will be in effect until the student revokes the request in writing.

G. PROCEDURES FOR DISCLOSURE

1. The Registrar’s Office on each campus will maintain a record of all requests for and/or disclosures of information from a student’s education record. The record will indicate the name of the party making the request, any additional parties, if any, to whom such information may be re-disclosed, and the party’s reason for requesting the information.

2. Any requests for non-directory information (e.g., student’s grades or GPA) require a signed release from the student.

3. Requests made by students to SCCC officials for letters of recommendation that will contain protected information (grades, GPA, etc.) require a signed permission-to-disclose-information form.

4. GPAs are not to be included in letters or other printed material, or discussed in public, without a student’s written consent.

5. Under no circumstance may any part of a student's social security number be displayed, including on rosters, computer-generated reports and final grade-posting by faculty. It is also impermissible for the student I.D. number to be used for grade-posting.

6. While SCCC allows student workers to be placed in the Registrar and Dean of Student Services Offices, students will not be involved in any aspect of the release of directory information process. Student workers in all offices of SCCC are required to sign a confidentiality statement upon assignment.

H. RIGHT TO FILE A COMPLAINT

A student who believes that SCCC has not complied with FERPA may send a written complaint to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202-4605

Board of Trustees
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