

Student Records Policy

The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, is a federal law that was designed to afford certain rights to students regarding their education records, and insure that institutions of higher education take steps to 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 information from these records, and to have a mechanism for seeking to amend these records. It is the responsibility of educational institutions to notify students annually of their FERPA rights (i.e., the institution's adopted procedures) and provide students with access to their education records. Suffolk County Community College (SCCC) will notify students of their FERPA rights by publication in the schedule of classes, college catalog, student handbook, and on the college's Web site. It will be the responsibility of the college registrar to ensure that the appropriate notification is present, complete and correct.

KEY TERMS

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.

Education Record – any record maintained by SCCC (or a party acting for the college) 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, health, disability services, and counseling records, disciplinary records, sole possession records (i.e., private notes of college officials), records created and maintained by a law enforcement or public safety office for the purpose of law enforcement, employment records, alumni records, and financial records of parents.

College Official – a person employed by the college in an administrative, supervisory, academic, research or full-time support position; a person employed by, authorized by, or under contract to the college to perform a special task, such as an attorney or auditor; a student serving in an official capacity where access is required, such as a disciplinary or grievance committee.

ACCESS TO STUDENT INFORMATION

SCCC accords all the rights under this law to its students. Third party access to information contained in a student's education records will not be permitted without the written consent of the student, except under the necessary and acceptable circumstances described below:

- to college officials who have a legitimate educational interest¹ in a student's records;
- to law enforcement officials if such information is needed to resolve a crisis or emergency situation that poses a threat to the health or safety of the student or other individuals;
- to officials of another institution where (a) a student seeks or intends to enroll, or (b) the college has a joint admissions and/or articulation agreement;
- to certain officials of the U.S. Department of Education, the comptroller and 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;
- 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;
- to organizations conducting certain studies for or on behalf of the college;
- to accrediting organizations to carry out their functions;
- 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 respond);
- to appropriate parties when the health or safety of students or other persons is involved;
- to individuals requesting directory information so designated by the college, in accordance with the provisions outlined under Directory Information;
- to organizations designated by the college to collect student obligations owed to the college;
- 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 the college against the alleged perpetrator of said crime;

- to U.S. military recruiters pursuant to the Solomon Amendment;
- to a court or legal counsel if a student or parent has initiated legal action against the college or if the college has begun legal action against a student or parent;
- to officials of the college's Alumni Association; and
- as needed, to comply with other federal legislation passed subsequent to FERPA, including but not limited to the Student Right to Know Act and the Taxpayer Relief Act.

¹ Examples of situations in which Suffolk County Community College has found there to be legitimate educational interest on the part of college officials include performing a task that is specified in his or her position description or contractual agreement, performing a task directly related to a student's education, performing a task related to the discipline of a student, providing a service or benefit relating to the student, (e.g., health care, counseling, job placement, financial aid, etc.), or maintaining the safety and security of the campus.

² Note: subpoenas served on the college for production of student records must be forwarded immediately to the college registrar to insure timely compliance.

DIRECTORY INFORMATION

- Suffolk County Community College designates the following items as directory information: student name, address, telephone number, date of birth, e-mail address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates and status of enrollment, degrees and awards received, prior schools attended, and photograph. Release of directory information, without a student's consent, shall be governed by the following:
- Personally identifiable items of directory information (i.e., name, address, telephone number, date of birth, e-mail address) will not be released to any outside inquirers, with the exception of law enforcement personnel on official business.
- Academic items of directory information (i.e., major field of study, participation in activities and sports, physical attributes of athletes, dates and status of enrollment, degrees and awards, and prior schools attended) may be released to such institutions as lending agencies, health insurance agencies, scholarship granting agencies, employment agencies and law enforcement personnel on official business. Disclosure to these parties requires a letter or fax with appropriate letterhead for documentation, and completion of SCCC's telephone inquiry form.
- Only staff members in the Registrar and Campus Associate Dean of Student Services Offices who have been appropriately trained may disclose items listed as directory information. No other office should release, or even deny release, of this information.
- 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 this request in writing.
- Directory information items, as well as other information contained in the education record, may not be released to parents, regardless of dependent status, except in a health or safety emergency. Note that students may opt to file a parental disclosure form to allow school officials to release information to the student's parent or parents.
- The college registrar reserves the right to review all requests for release of directory information and to honor such requests as deemed appropriate.

PROCEDURES FOR DISCLOSURE

Each campus Registrar's Office will maintain a record (i.e., Student Inquiry Form) of all requests for and/or disclosures of directory information from a student's education record. The record will indicate the name of the party making the request, any additional parties to whom it may be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. Any requests for non-directory information (e.g., student's grades or GPA) require a signed, written release from the student.

Note that requests made by students to college officials for letters of recommendation that will contain personally identifiable information (grades, GPA, etc.) require a signed permission-to-disclose-information form. GPAs should also not be included in letters or other printed material, or discussed in public, without a student's written consent. In addition, under no circumstance should any part of a student's social security number be displayed. This includes its appearance on rosters, computer-generated reports and final grade posting by faculty. It is also not permissible for the student I.D. # to be used for grade posting.

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

STUDENT INSPECTION OF AND ACCESS TO EDUCATIONAL RECORDS

Students may review the contents of their education records by making a request of the dean or Campus Associate Dean of Student Services on their home campus. A meeting should be set up, at which time the records may be reviewed. Note that original records may not leave the college. This request will be honored as soon as possible, but within thirty days. The college is not required to permit students to review financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment, or job placement or honors to which they have waived their rights of inspection and review; confidential letters and recommendations placed in their 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; or education records containing information about more than one student, in which case the college will permit access only to that part of the record which pertains to the inquiring student. Students who have a financial obligation to the college will be denied the ability to make copies of their records, including transcripts. All other unencumbered students may receive copies of their education records through established procedures. Note that original records may not be removed from college premises nor can copies be made of records that did not originate at SCCC, such as high school or other college transcripts.

CHALLENGE/CORRECTION OF EDUCATIONAL RECORDS

If a student feels that his/her educational records contain inaccurate, misleading or inappropriate information, a request may be made to have these records amended. The student should first bring this request to the Campus Associate Dean of Student Services who will discuss the matter with the student and attempt to arrive at a mutually acceptable resolution. If an agreement cannot be reached, the student may request a formal hearing to challenge the content of the record. A formal hearing will be conducted by a hearing panel to consist of the college registrar or designee, a student selected by the Campus Director of Student Activities (preferably from the student governing body), a faculty member selected by the College Dean of Faculty, and the Associate Vice President for Student Affairs as the non-voting chairperson. The hearing will be held in a reasonable amount of time to allow for both the college and the student to present any relevant evidence. The student may elect to be assisted by an advisor or attorney at the student's expense. If the college decides in favor of the student (i.e., that the record in question does contain misleading, inaccurate or inappropriate information), the college will notify the student, in writing, that the record has been amended. If the college's decision is unsatisfactory to the student, the college will notify the student, in writing, that the student may issue a statement of challenge or disagreement with the decision. This statement will be attached to the challenged record and maintained by the college as part of the student's education record. A student who believes that the college has not complied with federal law may send a written complaint to the:

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

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