



Family Education Rights and Privacy Act (FERPA)

Student Education Records Reference and Procedures for Owens Community College

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Student Records

I. Introduction

The following guidelines and procedures outlined in this document are designed to meet the terms of the **Family Education Rights and Privacy ACT of 1974** (also known as "FERPA" and "the Buckley Amendment"). Owens Community College is committed to these guidelines and will follow the procedures.

II. Definitions

For the purpose of implementing these guidelines and procedures, the following definitions apply:

Student

A person who has obtained matriculation (enrolled) status at Owens Community College. This does not apply to students seeking admission.

Education Records

Any records (in handwriting, print, tape, film, computer or other medium) directly related to a student and maintained by Owens Community College, an employee of the College, or an agent of the College that is directly related to a student **except:**

1. The personal and private notes of a college staff person or agent used as memory aids provided they are:
 - a. Kept in the sole possession of the maker of the record; and,
 - b. Not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.
3. Records connected with an individual's application for admission to Owens Community College prior to the individual's actual attendance as an enrolled student. This includes records connected with an application for admission to one of the College programs prior to the individual's actual enrollment and attendance in that program.
4. Records maintained by the Owens Community College Campus Safety & Security shall be kept separate from education records.

5. 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.

Personal Identifier

Personally identifiable information includes a student's name, address, name of the student's parents or other family members, the student's social security number, and any other number or symbol that identifies the student, a list of the student's personal characteristics, or any other information that would directly identify the student or make the student's identity easily traceable.

III. Annual Notification

Owens Community College is required by law to notify students of their rights under **FERPA**. The notification will be posted on Campus Pipeline after the beginning of each semester.

The notice will include, but not be limited to, the following:

1. The right of students to inspect and review their educational records.
2. The right of students to challenge the content of their education records if they believe the information is inaccurate or misleading.
3. The right of students to consent to disclosure of personally identifiable information contained in a student's education records. The intent of Owens Community College is to limit the disclosures of information to the following circumstances:
 - a. with the student's prior written consent;
 - b. as it relates to "directory information" unless the student restricts "directory information"; or
 - c. under instances in which **FERPA** authorizes disclosure without the student's prior written consent.
4. The right of any person to file a complaint with the U.S. Department of Education concerning alleged failures by Owens Community College to comply with the requirements of **FERPA**.

IV. Statement of Rights

Owens Community College recognizes students' rights under the Family Educational Rights and Privacy Act and these guidelines. Because College officials and others will use a student's education record repeatedly to make important decisions affecting the student's academic program and future career, the student should assume a personal responsibility to make certain that his/her education record is complete and accurate.

These guidelines are intended to inform students about Owens Community College's procedures to provide students their rights to:

1. Inspect and review their education records;
2. Exercise control (with some limitations) over disclosure of information contained in their education records;
3. Seek to correct their education records, in a hearing if necessary, when they believe their records are inaccurate, misleading, or in violation of the privacy or other rights of students;
4. Report violations of **FERPA** to the Family Education Rights and Privacy Act Office, U.S. Department of Education; and,
5. Be informed about their **FERPA** rights.

Owens Community College has placed responsibility for administration of **FERPA** with the Registrar. The Registrar is responsible for the administration of these guidelines. Students who have concerns or questions related to these guidelines should contact the Registrar for assistance at ferpa@owens.edu.

V. Location of Education Records

The following is a list of location and custodian of records that the College maintains.

<u>Types of Educational Records</u>	<u>Location</u>	<u>Custodian</u>
Admission Application to the college	Office of the Registrar	Registrar
Admission Application to selective programs	Office of the Registrar	Assistant Registrar, Information Processing

<u>Types of Educational Records</u>	<u>Location</u>	<u>Custodian</u>
Financial Aid Records	Financial Aid Office	Director of Financial Aid
Placement Records	J.O.B.S. Office	Coordinator of J.O.B.S. Placement
Academic Records	Office of the Registrar	Vice President of Student Services
Disciplinary Records	Student Services	Vice President of Student Services
Occasional Records (student education records not included in the types or systems listed above such as minutes of faculty committee meetings, copies, of correspondence in offices not listed, etc.)	The Registrar will collect such records, direct the students to their location, or otherwise make available for inspection and review.	The College staff person who maintains such occasional records.

VI. Procedures to Inspect and Review Education Records

Owens Community College encourages students to inspect and review their education records at least once during each academic year or, if a student has a special need, more frequently.

1. Students may request, in writing, the opportunity to inspect and review his/her records.
 - a. The written request should be made to the chief administrator or his/her designee(s) of the department in which the records are on file.
 - b. The request must specify as accurately as possible the specific records the student wishes to inspect and review. It may identify records according to the types listed in these guidelines under "Types of Education Records," as records located at specific places, or as records under the custodianship of specific College officials identified by title. Records listed in these guidelines as "Occasional Records" should be identified in terms that will make it possible for the Registrar to locate them and make them available for the student to inspect and review.

2. A request by a student to inspect and review his/her records will be granted within a reasonable period of time, but such time is not to exceed 45 calendar days after the Registrar or custodian receives the student's request.
3. The Registrar will make the needed arrangements and advise the student when and where the records will be available. If, for any valid reason such as work hours, distance from a student's place of residence to a record location, distance between record location sites, or health, a student cannot personally inspect and review his/her education records, Owens Community College will arrange for the student to obtain copies of the records.
4. Records will be inspected and reviewed by the student in the presence of the department head or his/her designee(s).
 - a. Records may not be changed during the process of inspection and review.
 - b. The student will be advised of his/her rights to challenge any portion(s) of his/her school record.
 - c. Upon written request, the student shall be provided with a copy of that portion(s) of his/her school record subject to challenge.

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

VII. Limitations on Right of Access

Owens Community College reserves the right to refuse to permit a student to inspect and review the following records:

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived her or her rights of access, or which were maintained before January 1, 1975.
3. Those records that are excluded from the **FERPA** definition of education records.

VIII. Rights to Obtain Copies of Education Records

A student may obtain copies of his or her records from the appropriate records custodian upon submission of a written request. However, Owens Community College reserves the right to deny copies of records, including transcripts, not required to be made available by FERPA in any of the following situations:

- The student has an unpaid financial obligation to the College.
- The education record requested is an exam or set of standardized test questions.
- There is an unresolved disciplinary action against the student.

IX. Directory Information

Owens Community College designates the personally identifiable information contained in a student's education record listed below as "directory information" so that the College may, at its discretion, disclose the information without a student's prior written consent.

Students have the right to restrict the release of their directory information. This can be accomplished by completing an "Authorization to Withhold Directory Information Form." The student Authorization to Withhold Directory Information form is available on the Records and Registration web page.

Owens Community College designates the following items as Directory Information:

- The student's name;
- Telephone number;
- The student's date of birth;
- The student's major or field of study;
- Participation in officially recognized sport activities;
- Weight and height of members of athletic teams;
- High school and hometown of members of athletic teams and specially recognized students ;
- Dates of attendance;
- Degrees and awards earned.

The College may disclose any of those items without prior written consent, unless notified in writing to the contrary by October of each academic year.

When the Registrar receives a student's request to withhold directory information about the student, the Registrar will mark the student's computer record accordingly.

No further disclosures of this information will be made without the student's prior written consent; However, the student's name and college generated email address

may be used and observed by students in any course in which I am enrolled for course participation and attendance verification.

Custodians of records will refer all requests for directory information about students to the Registrar unless the Registrar has authorized a custodian to disclose certain items under specified circumstances.

X. Disclosure of Education Records

Owens Community College will disclose information from a student's education records only with the written consent of the student, except that records may be disclosed without consent when the disclosure is:

1. To a school official who has a legitimate educational interest in the records.

A school official is:

- A person employed by the College in an administrative, supervisory, academic or support staff position.
- A person on the Board of Trustees.
- A person employed by or under contract to the College to perform a special task, such as the attorney or auditor.

A school official has a legitimate educational interest if the official:

- Performs a task that is specified in his/her position description or by a contract agreement.
- Performs a task related to a student's education.
- Performs a task related to the discipline of a student.
- Provides a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.

2. To certain official of the U.S. Department of Education, the Comptroller General and state and local officials educational authorities, in connection with certain state or federally supported education programs.
3. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or condition of the financial aid, or to enforce the terms and conditions of the aid.
4. If required by a state law requiring disclosure that was adopted before November 19, 1974.
5. To organizations conducting certain studies for or on behalf of the College.
6. To accrediting organizations to carry out their functions.
7. To comply with a judicial order or a lawfully issued subpoena.
8. To appropriate parties in a health or safety emergency.

XI. Records of Requests for Access and Disclosures

All requests for disclosures of information contained in a student's education record or for access to the records made by persons other than Owens Community College officials or the student or those requests accompanied by the student's prior written consent will be submitted to the Registrar. The Registrar will approve or disapprove all requests for access and disclosures and, except for requests for directory information; the Registrar will maintain a record of these actions. This record will be the College's record of requests and disclosures from education records as required by section 99.32 of the **FERPA** regulations.

Record of requests for and disclosures made from education records will be available only to the Registrar or the record custodians, the student, or to Federal, State, or local officials for purpose of auditing or enforcing the conditions for federally supported educational programs.

The record of disclosure will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request and;
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The College will maintain this record of disclosures as long as it maintains the student's education record.

XII. Procedures To Seek To Correct Education Records

Students have a right to ask to have records corrected they believe are inaccurate, misleading, or otherwise in violation of the privacy or other rights of students. The hearing also provides an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data in the student's records.

1. A student may request, in writing, an opportunity for a hearing. A request should be made to the President or his/her designee(s). The written request must:
 - a. Identify in specific terms the portion(s) of the records to be challenged.
 - b. State the reason(s) for challenging the portion(s) of the record identified.
 - c. State the remedy sought, i.e. the correction or deletion of the information under challenge.

The student must date and sign the request.

2. The Hearing Procedures

- a. The hearing will be conducted by the President or his or her designee(s).
- b. The hearing will be granted within 10 days after the request has been made.
- c. The department head or his/her designee(s) responsible for the student record under challenge shall represent that record in the hearing.
- d. Prior to the hearing, the hearing officer shall notify the student and the department head (that person representing the record) of the time, place and date of the hearing and of the specific portion(s) of the student's school record to be challenged.
- e. The hearing shall be limited to consideration of that specific portion(s) of the student's school record being challenged.
- f. The student will have the right to be assisted by an advisor of his/her choice.
- g. The burden of sustaining the challenge rests with the students.
- h. The student and the department head have the right to present evidence and witnesses directly related to that portion(s) of the student's record being challenged.
- i. The hearing officer shall keep a taped record of the hearing.
- j. The hearing officer must provide the student with a written notification of the disposition of the challenge including the reason(s) for the disposition.

Remedies

- a. The records may stand. If the College decides that the challenged information is not inaccurate, misleading or in violation of the student's rights of privacy, it will notify the student that he or she have a right to place in the record a statement commenting on the challenged information and/or statement setting forth reasons for the disagreeing with the decision.
- b. The record may be corrected. If the College decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the records have been amended.

The statement will be maintained as part of the student's education records as long as the challenged portion is maintained. Whenever the challenged part of the record is disclosed, it must also disclose the statement.

XIII. Posting of Grades by Owens Faculty

The public posting of grades either by the student's name, institutional student identification number, or social security number is a violation of **FERPA**. Even with names obscured, numeric student identifier numbers are considered personally identifiable information. Therefore, the practice of posting grades by social security number or student identification number violates FERPA.

Instructors and others who post grades should use a system that ensures **FERPA** requirements are met. The only acceptable method to post grades publicly is to assign students a unique, confidential number or codes for the purpose of posting grades, and to ensure that such codes and posting are not alphabetic.

Mailing grades to students is acceptable only if the information is enclosed in a sealed envelope. Mailing grades via postcards violates a student's rights to privacy. Students should access their final course grades via OCC Campus Pipeline.

XIV. Telephone Communication:

You may communicate general course information to a student over the telephone. i.e. To discuss the course syllabus, homework concerns and questions, how and where a student may obtain additional assistance (Math Lab, etc.), and student's informing you of their absence.

Keep in mind that what you cannot communicate to a student over the telephone is personally identifiable information i.e. A Student's current grade, test scores, and performance. If a student or you would like to discuss those topics, you must meet with the student in person or communicate through OCC Campus Pipeline.

Note: Campus Pipeline is Owens Community College's official portal. Students may choose to forward their email to an alternate email service; however, you **may communicate to them only through their campus Pipeline account.** If a student sends you an email from a non-campus pipeline address, please inform his or her that all communications must be conducted through his or her campus pipeline account.

Contact the Registrar's Office if you have questions or concerns regarding FERPA regulations at ferpa@owens.edu. If you need immediate assistance please telephone the Registrar's Office at 567-661-2625 or 567-661-7323.

The FERPA Booklet was developed by: The Office of the Registrar. 3/2005

