

# PRIVACY AND RIGHTS POLICIES

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## FERPA

### Annual Notification to Students FERPA and Privacy Rights

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

#### **The right to inspect and review the student's educational records within 45 days of the day the College receives a request for access.**

A student should submit a written request to the Department that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct department to whom the request should be addressed.

#### **The right to request an amendment of the student's educational records that the student believes are inaccurate, misleading or otherwise in violation of this student's privacy rights under FERPA.**

The student who wishes to ask the College District to amend a record should write to the College official responsible for the record, clearly identifying the part of the record the student wants changed, and specifying why it should be changed.

If the College District decides not to amend the record as requested, the College District will notify the student in writing of the decision and the student's right to appeal the decision.

(AP 5045 Student Records – Challenging Content)

#### **The right to provide written consent before the College District discloses personally identifiable information from the student's educational records, except to the extent that FERPA authorizes disclosure without consent.**

The College District discloses educational records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College District in an administrative, supervisory, academic or research, or staff position (including campus law enforcement and/or health services), a person or company with whom the College has contracted as its agenda to provide a service instead of using College employees or officials (such as an attorney, auditor or collection agent), a person serving on the Governing Board, or a student serving on an official committee, such as a disciplinary or grievance hearing committee or assisting another school official in performing his or her professional job duties. A school official has a legitimate educational interest, if the official needs to review a student record in order to fulfill his or her professional responsibilities for the College.

#### **The right to file a complaint with the US Department of Education concerning alleged failures by the College District to comply with the requirements of FERPA.**

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

As provided for in the Act, a student's personal information cannot be released to any other person without the written consent of the student and photo identification will be required to access information. Official student records are kept in the Office of Admissions and Records. The Dean of Student Services has been designated "Records Officer" as required by the Act.

Under Section 76230 of the Education Code, current and former enrolled students have an absolute right of access to their own educational records. One exception is that under Section 76231 of the Education Code, students may waive their right of access to confidential reference letters.

Under Section 49601 of the Education Code, parents of community college students do not have a right of access to their children's student records, regardless of whether the student is under the age of 18. Also, under federal law (Section 1232g of Title 20) of the United States Code, there is a general right of parental access to student records, but not for college students, regardless of age.

The Federal Solomon Act requires colleges to release full directory information (may include student names, addresses, telephone numbers, dates and places of birth, levels of education, degrees received, prior military experience, and/or most recent previous educational institutions enrolled) to the U.S. Armed Forces.