

# STUDENT RECORDS

(BP/AP 5040 – Student Records, Directory Information & Privacy)

## Student Access

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

Former and currently enrolled students have the right of access to their student records. Student records maintained by the College District include information relevant to admissions, registration, academic history, student benefits or services, extracurricular activities, counseling and guidance. Access to a student's own records shall be granted to any student filing a written request with the Dean of Student Services or designee. Access shall be granted no later than 15 working days following the request.

## Access and Confidentiality

No instructor, official, employee, or member of the Board of Trustees of the Southwestern Community College District shall authorize access to student records by any person except under the following circumstances:

- The College District may permit access to student records to any person for whom the student has executed consent specifying the records to be released and identifying the party or class of parties to whom the records may be released.
- Student records may be released to officials and employees of the College District only when such they have a legitimate educational interest to inspect a record.
- Student records may include a student's academic history. Students who wish to dispute a course grade need to follow the procedure set forth in AP 5530 – Student Rights & Grievances.

Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an educational agency, state education officials or their respective designees or the United States Office of Civil Rights, where such information is necessary to audit or evaluate a state or federal supported education program or pursuant to a federal or state law.

- Student records may be released to officials of other public or private schools or school systems, including local, county or state correctional facilities where educational programs are provided, where the student seeks or intends to enroll, or is directed to enroll.
- Student records may be released to agencies or organizations in connection with a student's application for, or receipt of financial aid.
- Student records may be released to organizations conducting studies for, or on behalf of accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and/or improving instruction.
- Outside individuals, groups or organizations who wish to submit a written and formal request for a specific research project may submit their request to the SWC Institutional Research Board (IRB) or cognizant Vice President (s).
- Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law.

- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena.
- The following information shall be released to military recruiters, in compliance with the Solomon Act for the purposes of military recruitment; Student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and/or most recent previous educational institutions enrolled by students.

## Use of Social Security Numbers

Southwestern College has not used a student Social Security Number as a student identifier since January 1, 2007, when legislation was passed. All employees of the College District are prohibited from the following:

- Publicly posting or displaying individual's social security number;
- Printing an individual's social security number on a card required to access products or services;
- Requiring an individual to transmit his or her social security number over the internet using a connection that is not secured or encrypted;
- Requiring an individual to use his or her social security number to access an Internet Web site without requiring a password or unique personal identification number or other authentication device; or
- Printing, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
  - Application or enrollment purposes;
  - Establishing, amending, or terminating an account, contract, or policy; or confirming the accuracy of the social security number.

## Records of Access

Each office officially charged with maintaining student records will also maintain a record of access which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests. The listing will not include:

- Students granted access to their own records.
- Parties to whom public directory information is released.
- Parties for whom written consent has been given by the student.
- Officials or employees of the District having a legitimate educational interest.

**NOTE:** For purposes of this section, "officials or employees" include any individual employed by the Southwestern Community College District, or such other persons with whom the District has made formal, written agreement for unpaid service. "Legitimate educational interest" exists when access to student records is necessary or appropriate to assist the official or employee in fulfilling his/her assigned responsibilities to the District.

## Fees for Records

Students may obtain copies of any of their own records to which they have legal access for a fee of \$1 per page. There is a fee for transcripts. However, each student is entitled to two free transcripts by regular mail. See our website for Transcripts Fees.

## Public Directory Information

Directory information may be released in accordance with the definitions in Policy and Procedure BP/AP 5040 – Student Records, Directory Information & Privacy. Directory information is defined as: student’s name, email address; participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, and degrees and awards received.

The directory information may be released by Admissions and Records, unless prior written objection is received from the student and placed on file in Admissions and Records. Students can elect to withhold their directory information on the college application. At any point, students can check their withholding status at Admissions and Records.

## Reporting of Violations and Challenging Content

Any student may file a written request with the Dean of Student Services or designee to correct or remove information recorded in his or her student records, as defined in AP 5045 – Student Records-Challenging Content. Information that the student challenges may include:

1. inaccurate;
2. unsubstantiated personal conclusion or inference;
3. conclusion or inference outside of the staff person’s area of competence; or
4. not based on the personal observation of the student by the staff person with the time and place of the observation noted.

Within 30 working days of receipt of the request, the Dean of Student Services or designee shall meet with the student and the employee who recorded the information in question, if the employee is presently employed by the District. The Dean of Student Services or designee shall then sustain or deny the allegations.

If the Dean of Student Services or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Dean of Student Services or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Vice President for Student Affairs in writing within 10 working days of the refusal.

If the Vice President of Student Affairs or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Vice President of Student Affairs or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Superintendent/President in writing within 10 working days of the refusal.

If the Superintendent/President or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Superintendent/President or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Governing Board in writing within 10 working days of the refusal.

Within 30 days of receipt of an appeal, the Governing Board shall in closed session with the student and the employee who recorded the information in question to determine whether to sustain or deny the allegations. If the Governing Board sustains any or all of the allegations, it shall order the Superintendent/President or designee to immediately

correct or remove and destroy the information. The decision of the Governing Board shall be in writing and shall be final.

If the final decision of the Governing Board is unfavorable to the student, the student shall have the right to submit a written statement of objection. The statement shall become part of the student’s record until the information objected to is corrected or removed.

## Disciplinary Records

Whenever there is any information in the student disciplinary record concerning an action, the student shall be allowed to include a written statement or response concerning the disciplinary action. Appeals to any disciplinary action will follow the guidelines in AP 5500 - Standards of Student Conduct.

When there is any student disciplinary record information concerning any action in connection with any alleged sexual assault or physical abuse, threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

It is also the right of the student to file a complaint with the United States Department of Education concerning an alleged failure by the institution to comply with the legal requirements regarding student privacy and rights with respect to student records.