

POLICY & PROCEDURES MEMORANDUM

TITLE:	STUDENT RECORDS
EFFECTIVE DATE:	September 7, 2004
CANCELLATION:	SA-1442.2A (3/12/96)
OFFICE:	Student Affairs (SA)

POLICY STATEMENT

Delgado Community College has the legal right and moral obligation to establish rules for maintaining and disclosing information on students of the College. Education records, as defined by this memorandum, are maintained and disclosed in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended.

The College has outlined the rights and responsibilities, as well as procedures, relating to student records in this memorandum.

PROCEDURES & SPECIFIC INFORMATION

1. **Purpose**

This policy outlines student rights and responsibilities, as well as college procedures relating to student records, both credit and non-credit.

2. **Scope and Applicability**

This policy and procedures memorandum applies to all students of Delgado Community College.

3. **Definitions**

For the purposes of this policy and procedures memorandum, the following definition of terms applies:

- Student:* any person who attends or has attended Delgado Community College in either the credit or non-credit division of the College
- School Official:* a person employed by Delgado Community College in an administrative, supervisory, academic or research, or support staff position (including student workers); a System Office staff or Board member of the Board of Supervisors for the Louisiana Community and Technical College System; or a person employed by or under contract to the College to perform a special task, such as the attorney or auditor
- Education records:* any record (in handwriting, print, tapes, film, electronic, or other medium including grade books, attendance records and/or rosters) maintained by Delgado Community College or an agent of the College that is directly related to a student, excluding:
- a. A personal record kept by a staff member if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker's temporary substitute.
 - b. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided that the record is used only in relation to the individual's employment.
 - c. Records maintained by the Delgado Community College Police Department that are maintained solely for law enforcement purposes and are revealed only to law enforcement agencies of the same jurisdiction. (The Delgado Police Department does not have access to education records maintained by the College.)
 - d. Records maintained by the Health Clinic (These records are used only for the treatment of a student and are made available only to those persons providing the treatment.)
 - e. Alumni records (These records contain information about a student after he or she is no longer in attendance at the College and do not relate to the person as a student.)

4. **Rights, Responsibilities and Procedures**

* **ANNUAL NOTIFICATION** - Students will be notified of their Family Educational Rights and Privacy Act (FERPA) rights each semester by publication in the College's credit and non-credit class schedules.

A. Procedures to Inspect Education Records

Delgado Community College reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement(s) of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access or which were placed on file before January 1, 1975.
3. Records connected with an application to attend Delgado Community College or to be admitted to a specific, limited admission program at Delgado Community College if that application was denied.
4. Those records which are excluded from the FERPA definition of education records.

B. Right to Deny Copies

Delgado Community College reserves the right to deny transcripts or copies of records not required to be made available by the FERPA in any of the following situations:

1. The student has an unpaid financial obligation to the College or has not provided required admission documents.
2. There is an unresolved disciplinary action against the student.
3. The student has defaulted on a student loan issued while the student was enrolled at Delgado Community College or through the Louisiana Student Financial Assistance Commission as per Louisiana Revised Statute 17:3021.
4. The student has failed to return college property loaned to the student.
5. Any other circumstance when the College determines it is in its or the student's best interest to deny copies or transcripts.

C. Types and Official Custodians of Student Records

The following is a list of the types of student records that Delgado Community College maintains and their official custodians.

CREDIT RECORDS**TYPES****CUSTODIAN**

ADMISSION RECORDS
OF ENROLLED STUDENTS

College Registrar

ADMISSION RECORDS
FOR RESTRICTED
ENROLLMENT PROGRAMS*
(*records of enrolled students and
applications of those who have applied)

Program Administrator

ADMISSION RECORDS
OF STUDENTS WHO HAVE
NOT ENROLLED

Campus Director of Admissions
or equivalent office on the campus

ADMISSION TEST
SCORES (ACT, SAT, etc.)

Campus Director of Admissions or
equivalent office on the campus

CUMULATIVE ACADEMIC
RECORDS-

College Registrar

DISCIPLINARY RECORDS

Vice Chancellor for Learning and
Student Development

FINANCIAL AID RECORDS

College Director of Student
Financial Assistance

HEALTH RECORDS

Immunization Records

College Health Services
Coordinator

Health Records Required for
Admission to Limited
Enrollment Programs

Dean of academic department or
equivalent office on the campus

Other Health Services Records

Campus Health Services Coordinator
or equivalent

STUDENT EMPLOYMENT
RECORDS

Campus Coordinator of
Student Employment Services
or equivalent office on the campus

CREDIT RECORDS (continued)

<u>TYPES</u>	<u>CUSTODIAN</u>
OCCASIONAL RECORDS (student education records not included in other record types such as minutes of committee meetings, correspondence in offices not listed, etc.)	The appropriate College official in each office.
STUDENT ACCOUNT RECORDS	Controller
TESTING RECORDS (Tests administered by the College)	Campus Office of Testing and Assessment or equivalent office on the campus
VETERANS AFFAIRS	Campus Veterans Affairs Coordinator or equivalent

NON-CREDIT RECORDS

<u>TYPES</u>	<u>CUSTODIAN</u>
NON-CREDIT APPLICATION (<i>maintained for 3 years</i>)	Campus Director, Non-credit Programming or equivalent
NON-CREDIT ROSTERS	College Registrar
NON-CREDIT STUDENT RECORDS	College Registrar
NON-CREDIT STUDENT ACCOUNT RECORDS (<i>Hard copy maintained for 5 years</i>)	Controller

D. Disclosure of Education Records

Delgado Community College will not disclose information from a student's education records without the written consent of the student. Exceptions to this policy may include:

1. To school officials who have a legitimate educational interest in the records. A school official has a legitimate educational interest if the official is:

- a. Performing a task that is specified in his or her position description or by a contract agreement.
 - b. Performing a task related to a student's education.
 - c. Performing a task related to the discipline of a student.
2. To officials of another school, upon request, in which a student seeks or intends to enroll.
 3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs.
 4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
 5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
 6. To organizations conducting certain studies for or on behalf of the College.
 7. To accrediting organizations to carry out their functions.
 8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
 9. To comply with a judicial order or a lawfully issued, valid subpoena.
 10. To appropriate parties in a health or safety emergency.

E. Records of Requests for Disclosure

Delgado Community College will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the student.

Records are kept for one year only on requests from, or disclosure of records to (1) the student; (2) a party with written consent from the student; or (3) a person seeking directory information. No records are kept on requests from school officials as defined in Section D-1 above.

F. Directory Information

- (1). In accordance with the Code of Federal Regulations (34CFR99.37), Delgado Community College may disclose directory information if it has given public notice to parents of students in attendance and eligible students in attendance at the College of:
 - The types of personally identifiable information that the College has.
 - A parent's or eligible student's right to refuse to let the College designate any or all of those types of information about the student as directory information (see Section F (3) below).
 - The period of time within which a parent or eligible student has to notify the College in writing that he or she does not want any or all of those types of information about the student designated as directory information.
 - The College may disclose directory information about former students without meeting the conditions in Section F (1) of this section.
- (2). Delgado Community College designates the following items as Directory Information: the student's name, address, telephone number, e-mail address, date and place of birth, date of enrollment, division in which enrolled, full- or part-time enrollment status, classification, major, degree(s) earned, awards, participation in officially recognized activities and sports, weight and height (of members of athletic teams), and the most recent previous educational agency or institution attended by the student.
- (3). A student who desires that any or all of the above listed information not be released must notify the Campus Registrar (or equivalent office on the campus) in writing each semester within the first 10 class days after the final day of late registration. If further information is desired, the Campus Registrar (or equivalent office on the campus) may be contacted. The College may disclose any of those items without prior written consent, unless notified in writing to the contrary within 0 class days after the end of late registration each semester.

G. Correction of Education Records

Students have the right to ask to have education records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. (Corrections do not include grade appeals. These changes must be appealed through the established appeal policy and must follow the established time lines for requesting such changes.) The following are the procedures for the correction of

records:

1. A student must request the College Registrar of Delgado Community College to amend a record. In so doing, the student should identify the part of the record he or she wants changed and specify why he or she believes it is inaccurate, misleading or in violation of his or her privacy or other rights.
2. Delgado Community College may comply with the request or may decide not to comply. If the College decides not to comply, the College will notify the student of the decision and advise him or her of the right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Delgado Community College will arrange for a hearing, and provide reasonable advanced notification to the student of the date, place, and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the College. The student will be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
5. The hearing officer will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If Delgado Community College decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the College will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If Delgado Community College discloses the contested portion of the record, the College must also disclose the statement.

7. If Delgado Community College decides that the challenged information is inaccurate, misleading, or in violation of the student's right of privacy, the College will amend the record and notify the student, in writing, that the record has been amended.

H. **FERPA Rights of Students**

1. The right to inspect and review the student's education records.
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and the regulations authorize disclosure without consent.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by the institution to comply with the requirements of the Act and the regulations.
5. The right to obtain a copy of the College's current student records policy.

I. **Guidelines for Users of the On-Line Student Information System (SIS) and Custodians of Student Records**

General Provisions:

Access to student education records is governed by the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended. All requests by students and/or outside agencies for information relative to a student's academic record must be completed by staff in the Campus Registrar's Office (or equivalent office on the campus). If a student's participation in a federally or state funded program requires that program to verify enrollment status for participants, those offices may comply with those program requirements (under the supervision of the College Registrar).

All forms/written documentation of students' grades, grade point averages, academic standing, degrees, and program completion must be completed by staff in the Campus Registrar's Office (or equivalent office on the campus).

1. Faculty may access the on-line records of the students for advising purposes and/or determining the registration status of students enrolled in their classes.
2. Clerical/administrative staff may access student records for faculty to use in academic advising and/or to determine the registration status of students enrolled in classes.
3. A student may have access to his/her academic record only after the student has supplied a student ID or other picture ID. A student may have access only to his/her own record. A written request and appointment may be required.

4. No information is to be released for students who have filed a written request for such privacy. This request will be noted in the on-line student records system.
5. The only information that may be released by SIS Users over the telephone is the verification that a student is enrolled at Delgado as a full-time, half-time, or less than half-time student. Under no circumstances are grades given to students by telephone, except through the College's Interactive Voice Response (IVR) system, which contains procedures for verifying the student identity.
6. All Delgado Community College students are assumed to be independent. As such, parents do not have access to their children's education records. Dependency must be proved through submission of a copy of the parents' most recent Income Tax Form 1040 to the Campus Registrar's Office (or equivalent office on the campus) or a release form signed by the student.
7. Printed unofficial transcripts/degree audits must be kept in a secure location. Unofficial transcripts/degree audits may be given to the student, upon compliance with the requirements in number 3 above.
8. Student workers are classified as college employees, and may have access to student records if their work assignment requires such access. Care must be taken to assure that student workers know the restrictions in access/release of records information.
9. Whether a grade change has been made can be confirmed, but the grade may not be released over the telephone except through the College's Interactive Voice Response (IVR) system. The student may also access the grade change through the College's web site, which contains procedures for verifying student identify.
10. Whether an add/drop has been processed may be confirmed as long as the student specifies which courses should have been added or dropped.
11. The contents of a letter sent to a student may be discussed if a letter was sent to that student about his/her record and the student calls with questions.
12. Grades may not be posted.
13. FERPA does not require the disclosure of any information to any party other than the student.
14. Law enforcement officials do not have the right to access to a student's record unless they have a lawfully issued, valid subpoena. An IRS summons is a subpoena.

15. College officials may release information in the event of an emergency if the knowledge of the information is necessary to protect the health and safety of students or other persons.

J. Faxed and On-Line Requests/Transcripts

All releases of transcripts must be requested in writing; faxed requests and on-line requests through the College's web site are accepted.

Transcripts are faxed to other locations only in emergencies with the permission of the College Registrar or Assistant/Associate Registrar. Faxed and e-mailed transcripts are not official and may not be used to meet Delgado Community College admission requirements. Delgado Community College does not provide copies of admission materials (i.e., test scores, transcripts from other schools, immunizations, etc.) submitted to the College by students. Students must request copies of these documents from the institution that issued them.

5. Cancellation

This policy and procedures memorandum cancels SA-1442.2A, *Student Records*, dated March 12, 1996.

SIGNATURE

Alex Johnson
Chancellor

Policy Reference:

Family Educational Rights and Privacy Act (FERPA) 1974, as amended
Louisiana Revised Statute 17:3021, *Louisiana Student Financial Assistance Commission*
Code of Federal Regulations 34CFR99.37, *Disclosing Directory Information*

Review Process:

Registrar's Council 5/31/04
Campus Student Affairs Councils 6/24/04
Academic Affairs Council 7/15/04
Executive Council 9/7/04

Distribution:

Electronic Distribution Via Intranet and Email Systems