



## Rockingham Community College

### FERPA POLICY NOTICE

*Family Educational Rights and Privacy Act*

Rockingham Community College adheres to and annually informs students of the Family Educational Rights and Privacy Act of 1974, as amended. Under the Family Educational Rights and Privacy Act (FERPA) students have certain rights with respect to their education records. Information regarding this legislation and student rights can be found below.

#### ***What is FERPA?***

FERPA is a federal law known as the Family Educational Rights and Privacy Act of 1974. This law protects the privacy of a student's education records and applies to all educational agencies and institutions that receive funds under any program administered by the Secretary of Education in the U.S. Department of Education.

As a general rule, under the Family Educational Rights and Privacy Act, personally identifiable information may not be released from a student's education records without his or her prior written consent. Exceptions to this rule are set out in the FERPA regulations and the FERPA policy of Rockingham Community College.

#### ***What are "Education Records?"***

The term "Education Records" refers to those records, files, documents, and other materials which contain information relating directly to a student and are maintained by the College or a person acting for the College.

The term "Education Records" does not include:

- Records of instructional, supervisory or administrative personnel, and educational personnel ancillary thereto which are in the sole possession of and maker thereof and which are not accessible or revealed to any other person except as a substitute;
- Records and documents of the College's Campus Security department which are kept apart and are maintained solely for law enforcement purposes and are not made available to persons other than Campus Security officers and, if necessary, law enforcement officials, all of which would be in need of said information in the conduct of official duty;
- Records on a student that are made or maintained by a physician, psychologist, psychiatrist, or other professional or paraprofessional acting in their professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

*Students' rights with respect to their education records include:*

1. **The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.** A student should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) the student seeks to inspect. The appropriate College official will make arrangements for access and notify the student of the time and location 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 official to whom the request should be addressed. In the event the requested record includes information on more than one student, each student shall be entitled to review or be informed only of that part which pertains to him or her.
2. **The right to request an amendment of the student's education records in the event the student believes there is inaccurate or misleading information.** Students requesting the College to amend a record that they believe to be inaccurate or misleading must do so in writing to the College official responsible for maintaining the record. The written request should clearly identify the part of the record in question and specify that which is believed to be inaccurate or misleading.
3. **The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent** (see the information following this section).
4. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.** The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Students may not inspect financial records and statements of the parents, confidential letters of recommendation placed in their records before 1974 (with some exceptions), or confidential letters of recommendation placed in their records after January 1, 1974, if they have waived their rights to inspect and review such letters.

#### ***What Information About a Student May Be Released Without the Student's Consent?***

The law permits disclosure, without consent, to:

- School employees who have a legitimate educational interest (these persons are employed by the College in an administrative, supervisory, academic or research, or support staff position, including: Campus Security personnel, persons serving on the Board of Trustees, persons assisting another College official in performing his or her duties, and individuals – including students – serving on an official College committee such as a disciplinary, grievance, or appeals committee);
- Other schools, upon request, in which a student is seeking or intending to enroll;
- Accrediting organizations;
- Organizations performing certain studies for or on behalf of the College;
- Appropriate parties in connection with financial aid to the student, to determine eligibility, amount, or conditions of financial aid, or to enforce the terms and conditions of aid;

- Parents when a student over 18 is still a dependent (see additional information related to parent access);
- Certain governmental officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with an audit, authorized representatives of the U.S. Attorney General for law enforcement purposes, or state or federally-supported education programs;
- Officials duly identified by the College who present a judicial order or subpoena that requires compliance by the College;
- School officials who have a legitimate need to know concerning disciplinary action taken against a student;
- Appropriate parties who need to know in cases of health and safety emergencies, when necessary, to protect the health and safety of the student and/or others;
- State and local authorities, within the juvenile justice system, pursuant to specific state law;
- Alleged victims of a crime of violence seeking the results of a disciplinary proceeding with respect to that crime;
- Parent or legal guardian of a student under the age of 21, pertaining to information regarding any violation of a College policy or state, federal or local law, governing the use or possession of alcohol or a controlled substance;
- Those requesting directory information on a student provided the student has not requested that his or her directory information be withheld.

***What is “Directory Information?”***

There is certain information pertaining to students that is known as “Directory Information.” This information includes: the student’s name, date and place of birth, major field of study, class, enrollment (full-time, half-time, or part-time), participation in officially recognized activities, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and weight and height of members of athletic teams. (Examples of ways in which some of this information is made public include: name of student who received honors and other awards, who is named to the Dean’s List, or who holds an office. The annual commencement program publishes the names of degree, diploma, and certificate recipients.)

“Directory Information” may be disclosed by the College for any purpose, at its discretion. RCC never knowingly releases “Directory Information” to any requester for commercial purposes.

Students who do not wish to have any or all “Directory Information” made public without their consent must request this in writing by sending the request to the Vice President for Student Development. If a student requests that “Directory Information” be withheld, the enrollment of the student cannot be verified to external entities such as potential employers, colleges, or universities, or medical insurance companies. Also, the name of the student will not appear in any official College publication distributed to the public, such as a commencement program. And, the name of the student will not be included in any information submitted to the media when academic recognition announcements (such as Dean’s List and President’s List) are made. Students requesting this withholding of “Directory Information” must file the request by the end of the registration period of first enrollment or re-enrollment for a specific academic term. Such a request will be honored until the student graduates, ceases to attend, or the student withdraws the request, in writing.

***Do Parents Have Rights Under FERPA?***

Rights to access a student's education records transfer to the student upon reaching 18 years of age or attending any school beyond the secondary level.

The law allows parental access if a student is claimed as a dependent for federal income tax purposes, as defined/described in the IRS Code. Proof that a student is a dependent under federal tax laws is required to disclose (without a student's consent) information to the parents of a student 18 years of age or older.

Access is granted both to the parent who claims the student as well as the parent not claiming the student. The parent must complete the [Parental Request for Academic Information](#) or furnish the current federal income taxes filed which show the student was claimed as a dependent, each time information is requested.

If a student is not claimed by either parent as a dependent according to the IRS Code, the parent may gain access to student information only if the student is willing to permit the release of the information. This permission occurs when the student signs the [Consent to Release Student Information form](#), available in the Student Development Office.

Questions about FERPA should be directed to the Registrar or Vice President for Student Development (offices located in the Whitcomb Student Center). Information regarding the Rockingham Community College FERPA policy is available on the RCC web site, in the Policies and Procedures section of the RCC Catalog, and in the RCC Student Handbook.

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