

## MOTLOW STATE COMMUNITY COLLEGE

### *SUBJECT: CONFIDENTIALITY OF STUDENT RECORDS*

The education records of current and former students at Motlow State Community College are maintained as confidential records pursuant to The Family Educational Rights and Privacy Act (FERPA) of 1974 as amended. Students have the right of access to their own education records as hereinafter set forth, and personally identifiable education records of students are not released to persons, agencies, or organizations without the consent of the student unless release is authorized by law and by this institution.

Directory information concerning students is treated as public information and is released to the public unless otherwise requested by the student. "Directory information" includes the following: the student's name, address, email address, telephone listing, date and place of birth, class schedule, full-time/part-time status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, the most recent previous educational agency or institution attended by the student, and the degrees and awards received by the student. Directory information is released to other students for car pool purposes. At the time a student registers for courses, the student may request in writing that any or all directory information concerning the student not be released as public information. This request shall be made each semester to remain in effect. If the student does not wish directory information to be released, the student's name will not appear in public listings released by the college such as Dean's List, Honor Roll list, or Graduation list.

A student's right to access his/her education records includes the right to inspect and review content of such records. A request by a student for access to his/her education records should be directed to the Vice President for Student Affairs and will be granted within a reasonable period of time not to exceed forty-five days after the request has been made. The student has the right to seek amendment of the records that the student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.

The student has 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 are:

Family Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, DC 20202-4605

Any student who believes that information contained in the education records is inaccurate or misleading or violates the privacy rights of the student may request that the records be amended. After a reasonable period of time, if the institution decides to refuse to amend the education records, the student shall be informed in writing and shall be advised by the Vice President for Student Affairs of his or her right to a hearing and the procedures for the hearing. Following a hearing, if the institution decides that the records should not be amended, the student shall have the right to place a written statement in the records concerning the contested information; this statement shall be maintained by the institution as long as the contested information is maintained and which shall be disclosed to any party to whom the contested information is disclosed.

Information concerning education records which is personally identifiable with a particular student, other than directory information shall not be released to persons, agencies, or organizations other than those hereinafter described unless:

1. There is written consent from the student specifying the records to be released, the reason for the release, and to whom the information is to be released, with a copy to the student if requested; or
2. Such information is furnished in compliance with a judicial order or subpoena, provided that advance notice of the receipt of the order or subpoena shall be provided to the student prior to compliance, if possible. Personally identifiable education records may be released to other school officials of the institution, including members of the faculty who have legitimate educational interest.

In addition, such information may be released to the following described persons, agencies, and organizations:

1. MSCC officials — A college official is a person employed by the college in an administrative, supervisory, academic, or support staff position; a person or company with whom the college has contracted (such as an attorney, auditor, or collection agency); a person serving on staff at the Tennessee Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another college official in performing his or her tasks. A college official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility;
2. Officials of other schools in which the student seeks or intends to enroll;
3. Auditors or evaluators of compliance with educational programs, including accrediting agencies;
4. Those involved in connection with a student's application for receipt of financial aid;
5. Organizations conducting studies on behalf of the institution;
6. Appropriate persons in connection with an emergency if such knowledge is necessary to protect the health or safety of a student or other person;
7. Law enforcement officials in compliance with a judicial order or subpoena;
8. Officials serving the student in the juvenile justice system;

9. Directory information;
10. Disclosure to an alleged victim of any crime of violence, as that term is defined in Section 16 of Title 18, United States Code, of the results of any disciplinary proceeding conducted by the college against the alleged perpetrator of the crime with respect to that crime.

A record of access shall be maintained by the institution reflecting all individual agencies or organizations having requested or obtained access to a student's education records and specifying the legitimate interest of the party obtaining the information; this record shall be available to the student.

SOURCE: MOTLOW COLLEGE

XR: TBR Policy No. 3:02:03:00