

QUINSIGAMOND COMMUNITY COLLEGE

REQUEST FOR BOARD OF TRUSTEES ACTION

COMMITTEE: Academic & Student Affairs

Title: Amendment to **FERPA Policy** No. AS I

Date: September 22, 1999

Recommendation: That the Board of Trustees amend the College's FERPA Policy to exclude protection from disclosure, to a parent or legal guardian of a student, information regarding the student's violation of Federal, State, or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance.. .if (A) the student is under the age of 21 and (B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

Justification: This amendment to the College's FERPA policy is required by the Higher Education Amendments Act of 1998.

QUINSIGAMOND COMMUNITY COLLEGE

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT POLICY STATEMENT

DEFINITIONS

For the purpose of this Policy, Quinsigamond Community College has used the following definitions of terms:

Student - Any person who attends, or has attended, Quinsigamond Community College.

Education Records — Any record (in handwriting, print, tapes, film, or other medium) maintained by Quinsigamond Community College, or by a party acting for the College which is directly related to a student, except:

1. 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.
2. An employment record of an individual whose employment is not contingent on the fact that she, or he, is a student, provided the record is used only in relation to the individual's employment.
3. Records maintained by Quinsigamond Community College Security Department, if the record is maintained solely for law enforcement purposes, is revealed only to law enforcement agencies of the same jurisdiction and the Department does not have access to education records maintained by the College.
4. Records maintained by the Health Office, if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni records which contain information about a student after he or she is no longer in attendance at the College.
6. For the purpose of disclosure, final results of disciplinary proceedings is construed to include only the name of the student, the violation committed, and any sanction imposed by the institution on that student.

ANNUAL NOTIFICATION

Quinsigamond Community College is required by Section 99.7, of the FERPA Regulations, to provide students annual notification of their FERPA rights. Quinsigamond Community College will use the following method to notify students annually.

Students will be notified of their FERPA rights, annually, by publication in the Student Handbook and by mail.

PROCEDURE TO INSPECT EDUCATION RECORDS

Students may inspect and review their education records upon request to the appropriate record custodian.

Students should submit to the record custodian, or an appropriate College staff person, a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The record custodian, or an appropriate College staff person, will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.

RIGHT OF COLLEGE TO REFUSE ACCESS

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

1. The financial statement of the student's parents.
2. Letters and statements of recommendations for which the student has waived her or his right of access, or which were placed in file before January 1, 1975.
3. Records connected with an application to attend Quinsigamond Community College if that application was denied.
4. Those records which are excluded from the FERPA definition of education records.

REFUSAL TO PROVIDE COPIES

Quinsigamond 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 Quinsigamond Community College.
2. There is an unresolved disciplinary action against the student.

FEEES FOR COPIES OF RECORDS

The fee for copies will be one dollar per page.

TYPES, LOCATIONS AND CUSTODIANS OF EDUCATION RECORDS

The following is a list of the types of records that the College maintains, their locations and their custodians.

TYPES	LOCATION	CUSTODIAN
Admissions Records	Registrar's Office Room 152A	Registrar
Cumulative Academic Records (Current students and five years after graduation or withdrawal)	Registrar's Office Room I 52A	Registrar
Cumulative Academic Records (Former students; over five years after graduation or withdrawal)	Registrar's Office Room I 52A	Registrar
Health Records	Registrar's Office Room 152A	Registrar
Financial Aid Records	Financial Aid Room I 59A	Director of Financial Aid
Financial Records	Business Office Room 220A	Assistant Dean of Fiscal Affairs

Placement Records	Academic Services	Assistant Dean of Academic Services/ Instructional Technology
Disciplinary Records	Dean of Enrollment and Student Services	Dean of Enrollment and Student Services
Occasional Records (Student education records not included in the types listed above; such as, copies of correspondence in offices not listed, etc.)	The appropriate official will collect such records, direct the student to their location, or otherwise make them available for inspection and review.	The College Staff person who maintains such occasional systems records

DISCLOSURE OF EDUCATION RECORDS

Quinsigamond Community College will disclose information from a student's education records only with the written consent of the student, except:

1. To school officials who have a legitimate educational interest in the records. A school official is:
 - A person employed by the College in an administrative, supervisory, academic or research position.
 - A Member of the Board of Trustees.
 - A person employed by or acting for the College to perform a special task; such as, the attorney or auditor.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description.
 - Performing a task related to a student's education.
 - Performing a task related to the discipline of a student.
 - Providing a service or benefit relating to the student or student's family; such as, Health Care, Counseling, Job Placement or Financial Aid.
2. To officials of another school, upon request, in which a student seeks or intends to enroll.

3. To certain officials of the United States 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 subpoena.
10. To appropriate parties in a health or safety emergency.
11. To an alleged victim of any crime of violence of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime, with respect to that crime.
12. To a parent or legal guardian of student information regarding the student's violation of Federal, State, or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if (A) the student is under the age of 21 and (B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.
13. The institution can disclose the final results of any disciplinary proceeding conducted by the institution against a student who is an alleged perpetrator of any crime of violence..., or a non-forcible sex offense, if the institution determines as a result of that disciplinary proceeding that the student committed a violation of the institution's rules or policies with respect to such crime or offense.

ADDENDUM TO FERPA

The Higher Education Amendments of 1998 include the following:

- FERPA generally provides that information about students is protected from disclosure. As a general rule, the student's educational record is protected from disclosure.
- The Higher Education Amendments Act of 1998 adds a provision which indicates that nothing in FERPA should "be construed to prohibit a school from disclosing to a parent or legal guardian of a student information regarding the student's violation of Federal, State or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance,... if (A) the student is under the age of 21 (B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession."