

Policies and procedures are hereby established in an effort to comply with the requirements of the "Family Educational Rights and Privacy Act of 1974." It is the intent of these policies and procedures to implement the requirements of this act and to clarify these requirements for all students of the college, faculty, professional staff, parents, and other interested parties.

TYPES OF RECORDS AND INDIVIDUAL RESPONSIBLE

The following listed college personnel are assigned the responsibility for the designated records as shown:

<u>TYPE OF RECORDS</u>	<u>COLLEGE PERSON RESPONSIBLE</u>
Academic and admissions records, medical records, address records	Registrar
Academic counseling and testing records, personal counseling records	Director of Counseling and Testing
Campus security records	Vice President, Administrative Services
Financial obligatory records	Vice President, Financial Services & CFO
Disciplinary records	Dean of Student Services
Job placement records	Vocational Counselor

STUDENT ACCESS TO EDUCATIONAL RECORDS

All students and former students of the college shall be allowed access to their educational records except for those deemed inaccessible by the Act. The student shall make a written request to the college person responsible for the records he or she desires to examine. The student shall be allowed to examine appropriate records as requested at such

time and place as may be designated by the responsible college person. Students shall comply with the following:

1. Students have the right to obtain copies of records relating to themselves at a reasonable cost.
2. A request for access to records will be granted within a reasonable period of time, but in all cases within forty-five days after the request is reviewed.
3. The student may make reasonable requests for explanations and interpretations of the records reviewed.
4. The student shall have the right to challenge the content of his or her educational record. (See Section on STUDENT RIGHTS TO CHALLENGE RECORDS of this policy.)

Records not accessible to students shall be governed by the following:

1. Financial records of the parents of the student or any information contained therein.
2. Confidential letters and statements of recommendation which were placed in the records prior to January 1, 1975. If they were solicited with the written assurance of confidentiality, or sent and retained with the documented understanding of confidentiality, and they were used only for the purpose for which they were specifically intended.
3. Employment records made on a person employed by the college; these are not part of the educational record if:
 - a. There were made and maintained in the normal course of business.
 - b. Related exclusively to the student in the student's capacity as an employee.
 - c. Are not available for use for any other purpose.

- d. Records relating to a student employed as a result of his or her status as a student are not included within this exception.
4. Records on a student which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity and which are created, 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; provided however, that such records can be personally reviewed by a physician or other appropriate professionals of the student's choice.
5. Records of an institution which contain only information relating to a person after that person is no longer a student at the institution (alumni).
6. Confidential statements or recommendations for which a student has signed a waiver in matters respecting:
 - a. Admission to any educational institution.
 - b. An application for employment.
 - c. The receipt of an honor or honorary recognition, providing that:
 - (1) Upon request, the student shall be notified of the names of all persons making confidential recommendations.
 - (2) All recommendations protected in this manner must be used solely for the purpose for which they were specifically intended.
 - (3) Such waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from the college.

AGENCIES OF
INDIVIDUALS
ENTITLED TO
ACCESS WITHOUT
THE STUDENT'S
PERMISSION

Agencies of individuals that fall in the categories listed below may have access to student's records upon presenting a written request (Persons in paragraph 1 are exempt from submitting a written request) to the college person responsible for the records desired and payment of such reasonable cost as the person responsible for the records may stipulate.

1. Officials, faculty, and staff employed by the college, if they have a "legitimate educational interest" as determined by the official who has charge of the records.
2. Officials of other educational institutions in which the student intends or seeks to enroll, provided that the student is notified of what is being released and given a copy if desired.
3. Authorized representatives of the Comptroller General of the United States; Secretary of the Department of Education; administrative heads of educational agencies; or state educational authorities.
4. College officials needing this information in connection with a student's application for, or receipt of, financial aid.
5. State and local officials to whom state laws (in effect on or before November 19, 1972) require information to be reported.
6. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
7. Accrediting agencies in order to carry out their accrediting functions.
8. Parents who certify a student is carried as a dependent for federal income tax purposes. This certification must be ascertained by the college

official concerned. (It would include such items as grades, transcripts, financial aid and probation reports.)

9. Appropriate persons, where the knowledge of such information is deemed necessary by the college official responsible to protect the health or safety of the student or other persons.
10. Individuals requiring such information by means of a judicial order or any lawfully issued subpoena, upon the condition that the college will notify the student of all such orders and subpoenas in advance of the compliance.

LIMIT OF
ACCESS AND
RECORDS OF
ACCESS

The college has a policy of not releasing, or providing access to any personally identifiable information in educational records other than directory information or as is permitted above unless:

1. There is written permission of the student specifying records to be released, the reasons for such release, and to whom the information is to be released.
2. A copy of the record(s) to be released must be furnished the student upon request. Record will be furnished the students at a reasonable cost.
3. The Board, through the college president, has delegated authority for responsibility and maintenance of student records to the various officials. Each office which is assigned the responsibility for specific student records shall maintain a record, kept with the educational records of each student, which will indicate all individuals, agencies, or organizations (other than those specified in Item 1 of the section) above which have requested or obtained access to a student's educational records maintained by the institution, and which will indicate specifically the legitimate interest that each person, agency, or organization has in obtaining this information. Such record of access shall be available only to the student, to the school official and assistants who are responsible for the custody of such records, and to persons or organizations authorized in, and under the conditions of Items 1 and 3 of the section above as a means of auditing the operation of the system.

4. Personal information will only be transferred to a third party outside of the college with the understanding that such party must not permit any other party to have access to such information without the written consent of the student.
5. The college shall include, with any information released, a written statement which informs the receiver of the information and conditions of paragraph 4 preceding.

STUDENTS RIGHTS
TO CHALLENGE
RECORDS

Students have a right to a hearing to challenge the content of their educational records in order to ensure that the records are not inaccurate, or misleading, or otherwise inappropriate, and to provide an opportunity for the correction or deletion of any such data contained therein and to insert into such records a written explanation respecting the content of such records. The following procedures are to be followed:

1. A student wishing to challenge a record or information must notify the individual responsible for maintaining the records that he or she wishes to challenge it. A written notice must be submitted stating the specific item to be challenged and the basis for challenging it.
2. All initial hearings will be informal and the participants will be the custodian of the challenged records or information, the student, and the author (if appropriate) of the material.
3. If the participant is not satisfied with the results of the informal hearing, a formal hearing will be conducted under the following procedure:
 - a. A hearing will be conducted and the decision given by an institution official, committee, or other party who does not have a direct interest in the outcome of the hearing. The appointment of this official, committee, or other party will be made by the college president.

- b. The hearing will be conducted and the results decided within a reasonable period of time (seven business days).
- c. Any student having attended the college will have an opportunity to present evidence relevant to challenging his or her records so that they are not inaccurate, misleading, or inappropriate. Corrections or deletions may be made as determined by the official, committee, or other party conducting the hearing.
- d. A written decision will be sent to all interested parties within a reasonable time (seven business days).

DIRECTORY
INFORMATION

"Directory information" is available to anyone upon request unless otherwise specified by the student by the twelfth class day of any long semester and the fourth class day of a summer term. Directory information shall include the following:

1. Name
2. Address
3. Telephone listing
4. Date and place of birth
5. Major field of study
6. Participation in officially recognized activities and sports
7. Weight and height of members of athletic teams
8. Dates of enrollment
9. Degrees and awards received
10. Most recent previous institution attended

The period of each semester stated above shall be provided for each registrant to indicate that any or all of the above information is not to be released to anyone outside of the college. The student may indicate the item(s) not to be released by completing a form in the registrar's office.

**DESTRUCTION
OF RECORDS**

Periodically the college shall review the "educational records" maintained, and it may become necessary to destroy certain records. The college will not destroy any record if the action is prohibited by state and/or federal laws.

**ANNUAL
NOTIFICATION
OF RIGHTS TO
STUDENTS**

The college shall inform students of their rights accorded them by this law by having appropriate statements in the college catalog and student handbook. The notice shall include the following:

1. The types of educational records and information contained therein which are directly related to students and maintained by the institution.
2. The name and position of the official responsible for the maintenance of each type of record, the persons who have access to those records, and the purpose for which they have access.
3. The policies of the institution for reviewing and expunging those records.
4. Access rights procedures established by the institution.
5. The procedures for challenging the content of educational records.
6. The cost, if any, which will be charged to the eligible student for reproducing copies under the access rights provision.
7. The categories of information the institution has designated as directory information.

DISTANCE
LEARNING
STUDENT PRIVACY
STATEMENT

Brazosport College complies with all of the requirements of the Family Educational Rights and Privacy Act (FERPA). We are committed to protecting the privacy of a student's educational record regardless of delivery method. The Registrar is the point of contact for all FERPA related issues, and all employees are informed and trained of their responsibilities of unauthorized release of confidential records or information during mandatory FERPA training sessions. Because an online environment creates a record of student activity, it is subject to FERPA privacy rights, unlike verbal exchanges in a physical classroom.

IDENTITY
VERIFICATION IN
DISTANCE
LEARNING COURSES

The identity verification process for online courses protects student's privacy through the use of a secure portal, with a secure login and student-selected password.

FACULTY
RESPONSIBILITY

Faculty and staff understand and carry out a commitment to confidentiality, integrity, and security to protect the privacy of students who participate in distance learning activities. Students' records are kept private by the instructor, except in cases where academic staff or administration access the course, with legitimate educational interest under FERPA guidelines and FJ-R (LOCAL) policy pertaining to Student Records.

STUDENT
RESPONSIBILITIES

In order to maintain confidentiality, portal login passwords are generated by the student and any password reset is completed through the Password Reset Assistance program. It is the student's responsibility to keep their password confidential.