



Confidentiality of Student Records

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Northwest Louisiana Technical College (NWLTC), consistent with the regulations of the Family Educational Rights and Privacy Act of 1974, as Amended (FERPA), insures students access to their education records maintained by the College, District or LTC Campus and prohibits the release of personally identifiable information from these records without the student's permission, except as specified by law. Only parties with the right to receive educational records pursuant to this policy and identified as such shall be entitled to receive the information.

207.1 PURPOSE

To inform all concerned of the rights and prerogatives of students under the Family Educational Rights and Privacy Act of 1974, As Amended (FERPA) and to outline procedures for those students who wish to inspect and review their education records.

207.2 DEFINITIONS

207.2.1 *Education records* are those records directly related to a student and are maintained by the campus Student Affairs Office.

The term does not include:

207.2.1.1 Records of faculty members, deans, directors, or other college personnel which are in the sole possession of the maker and are not accessible to or revealed to any other individual except a temporary substitute for the maker of the record;

207.2.1.2 Records of physicians, psychologists, and other professional persons who provide professional services to the student which are part of the program of instruction of the college and which are not disclosed to anyone without the student's consent;

207.2.2 *Personally identifiable information* is that which, when associated with an educational record, allows the record to be identified with a specific person. This information includes:

- 207.2.2.1** the name of the student, the student's parent or other family member;
- 207.2.2.2** the address of the student or student's family;
- 207.2.2.3** a personal identifier, such as a social security number or student number;
- 207.2.2.4** a list of personal characteristics which would make the student's identity easily traceable; or other information which would make the student's identity easily traceable.

207.2.3 *A student* is any individual for whom the College maintains an education record; the term does not extend to a person who applies for admission until he/she has actually attended the college.

207.2.4 *Directory information* is information available to the public or specified sectors, which may or may not be published in the Student Directory or other publications. Directory information is defined as follows:

207.2.4.1 Student's name, local address, and telephone number

207.2.4.2 Student's home address

207.2.4.3 Student's e-mail address

207.2.4.4 Date/place of student's birth

207.2.4.5 Student's major field of study/classification

207.2.4.6 Dates of student's attendance

207.2.4.7 Degrees, awards, and honors received by student

207.2.4.8 The most recent previous educational institution attended by the student

207.3 **STUDENT REQUEST TO WITHHOLD RELEASE OF INFORMATION**

Students who wish to withhold any information in these categories should complete a form available in the campus Student Affairs Office by the 7th class day in any semester. The hold will remain in effect until the student requests that it be lifted. Only currently enrolled students may place a hold on the release of directory information.

To gain access to their education records, students must submit a Consent to Release Form.

207.4 **ACCESS BY PARENTS OF DEPENDENT STUDENTS**

It is assumed that an undergraduate is not a dependent of his/her parents or guardians, unless the College is notified to the contrary by the student or his/her parents or guardians.

An individual claiming a student as his/her dependent shall provide to the Office of Student Affairs an affidavit satisfactory to LTC stating that the student whose records are requested is a dependent of the affiant, as defined by section 152 of the Internal Revenue Code of 1954. At the College's discretion, a copy of the IRS Form 1040 may be appropriate.

Parents of dependent students have the same rights to access, as do students, as noted above.

207.5 STUDENT RIGHTS AND PROCEDURES FOR CHALLENGING

The information in the education record may be challenged by the student (or parent of a dependent student) as inaccurate, misleading, or in violation of privacy or other rights of the student. The student (or parent) may submit a written request that the record(s) be amended.

207.5.1 Within 30 days of receipt of the written request, the College shall inform the student as to whether the record(s) will be amended. If the decision is negative, the student may submit a written request for a hearing in order to challenge the content of the record(s).

207.5.2 Within 14 days of receipt of the written request for a hearing, the College will inform the student of the date, place, and time of the hearing and of the identity of the official in charge of the hearing. The notice will be mailed to the student at least two weeks in advance of the hearing.

207.5.3 The student will be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted by individuals or an attorney at his/her expense. The College will announce its decision in writing within 30 days of the conclusion of the hearing. The decision will be based solely on the evidence presented and will include a summary of the evidence and reasons for the decision.

207.5.4 If, because of the hearing, the College decides that the student's record should be amended, it will amend the record(s).

207.5.5 If not, the College will inform the student that he/she has the 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 the College discloses the contested portion of the record, it must also disclose the statement.

207.5.6 Challenges and requests for a hearing must be in writing and should be directed to the officer responsible for the maintenance of record(s). A grade may be challenged under the Act only on the grounds that it was inaccurately recorded.

207.6 RELEASE OF EDUCATION RECORDS UNDER THE LAW WITHOUT THE STUDENT'S PERMISSION

Personally identifiable information from education records cannot be released without the students' permission, except:

- 207.6.1** To Louisiana Technical College employees, who have a legitimate educational interest, as determined by the College. All students' education records are available for review the following LTC officials:
 - 207.6.1.1** A person employed by the college in an administrative, supervisory, academic, research or support staff position, including health and medical staff and teaching assistants and student assistants.
 - 207.6.1.2** A person appointed by the Board of Supervisors.
 - 207.6.1.3** A person employed by or under contract to the College to perform a special task, such as legal counsel.
- 207.6.2** A school official has a legitimate educational interest if the official:
 - 207.6.2.1** Is performing a task that is specified in his or her position description or contract agreement, related to a student's education or to the discipline of a student;
 - 207.6.2.2** Is providing a service or benefit relating to the student or the student's family (e.g., health care, counseling, job placement, financial aid, etc.); or maintaining the safety and security of the campus.
- 207.6.3** To other educational institutions in which the student seeks to enroll (the student or parent, if the student is a dependent, may, upon request, obtain a copy of the record that was sent).
- 207.6.4** To public officials as specified in the Act.
- 207.6.5** To agencies and offices administering financial aid. Only those records required in connection with the student's application for financial aid can be provided.
- 207.6.6** To organizations for use in developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such agencies must agree not to divulge personally identifiable records to outsiders and must agree ultimately to destroy these records.
- 207.6.7** To accrediting agencies in order to carry out accreditation functions.

207.6.8 To parents or guardians of students who are dependents for income tax purposes.

207.6.9 To appropriate persons in the case of health and safety emergencies, if knowledge of the information is necessary to protect the health or safety of the student or other persons.

207.6.10 To courts of law in response to court orders or subpoenas. When responding to a court order or subpoena, the institution must make a reasonable effort to notify the student of all such orders or subpoenas in advance of compliance. Students will not be notified when the subpoena is issued by a Federal Grand Jury or for any law enforcement purpose that orders the College not to disclose the existence or contents of the subpoena.

207.6.11 To the alleged victim of any crime of violence, as described in Section 16 of Title 18, United States Code, the results of any disciplinary proceeding conducted by the College against the alleged perpetrator of that crime with respect to that crime. This disclosure shall be limited to the alleged victim who may not disclose the information to the public generally.

207.6.12 Requests for release of personally identifiable information by persons other than College employees must be made in writing. Such requests will be recorded in the office maintaining the record from which the information is requested or released, and the record of released information will be made a part of the student's educational record. The record of disclosure or of request for disclosure under such circumstances will include the name(s) of the person(s) who requested the information and the reason(s) for the request

207.7 RELEASE OF EDUCATION RECORDS UNDER THE LAW WITH THE STUDENT'S PERMISSION

Requests for access to education records by any person other than those listed in Section IV will be refused, unless the student has submitted a written, dated, and signed waiver to allow access to his/her records. The waiver must specify the records to be released, the reasons for the release, and the name of the party or class of parties to whom records should be released.

207.8 FACULTY RESPONSIBILITY REGARDING PRIVACY OF STUDENTS' GRADES

Faculty members are responsible for maintaining the privacy of students' grades for any purpose or for any activity (project/test/quiz/paper), which is part of a course.

207.8.1 This policy is violated if a students' grade is:

207.8.1.1 Openly discussed in class

207.8.1.2 Visible on papers, tests, or projects as they are returned, e.g., passed down the row or left on a desk to be picked up;

207.8.1.3 Publicly posted in a personally identifiable manner; or released over the telephone to anyone other than the student or the parents of the dependent student.

207.8.2 Disclosure of a student's grades by a faculty member may be made only in a manner that makes the grades identifiable only to the faculty member and the student.

207.8.3 Since the social security number is classed as "personally identifiable information" (see definition on page 1 of this policy statement), the disclosure of grades with the student's social security number or name is not allowed without the student's written permission.

207.9 FINAL RESPONSIBILITY FOR INTERPRETATION OF THIS POLICY STATEMENT

Final responsibility for interpretation of the provisions of this policy statement rests with the College Registrar/Campus Student Services supervisor, who is also the custodian of the student's official education record.

The College Registrar/Campus Student Services supervisor is also responsible for insuring that all LTC personnel who have access to educational records, through either College databases or printed reports, have indicated their awareness of this policy.

Policy Reference: 20 U.S.C. §1232(g), Family Educational and Privacy Rights 34 C.F.R. §99.1 et seq., Privacy Rights of Parents and Students
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Approved:



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