

HARTNELL COMMUNITY COLLEGE DISTRICT

AP 5040 Student Education Records, Directory Information, and Privacy

Reference Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq.;
20 U.S. Code Section 1232g; ACCJC Accreditation Standard II.C.8

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

Definitions

“Student” means any person with respect to whom the District maintains education records or personally identifiable information, but does not include a person who has not been in attendance at the District.

“Student education record” means any item of information directly related to an identifiable student, other than directory information, which is maintained by the District or required to be maintained by any employee in the performance of his or her duties, whether recorded by handwriting, print, tapes, film, microfilm, or other means.

“Access” means a personal inspection and review of a record, an accurate copy of a record, an oral description or communication of a record, and a request to release a copy of any record.

“College official” means a faculty member, president, chancellor, governing board member, counselor, admissions officer, attorney, accountant, human resources professional, information systems personnel, and support or clerical personnel. A contractor, consultant, volunteer, or other party to whom Hartnell College has outsourced institutional services or functions may also be considered a “college official” provided that they are performing an institutional service or function for which the agency would otherwise use employees and is under the direct control of the agency or institution with respect to the use and maintenance of education records.

“Legitimate educational interest” means the information requested is necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement. The information is to be used within the context of official agency or school business and not for purposes extraneous to the official’s areas of responsibility or to the agency or school. The information is relevant to the accomplishment of some task or to a determination about the student. The information is to be used consistently with the purposes for which the data are maintained.

Access to student education records

The District may permit access to student education records to any person for whom the student has executed written consent specifying the records to be released and identifying the party or class of parties to whom the records may be released. To do so, the student or former student must submit an Authorization for Release of Student Records form to the college Admissions and Records Office with a photo ID.

Access to student education records to any person without the written consent of the student shall not be authorized except under the following circumstances:

The District may release directory information regarding any former or current student of the District, provided that no directory information shall be released regarding any student or former student when the student or former student has notified the District in writing that the information shall not be released. To do so, the student or former student must submit an Authorization for Release of Student Records form to the college Admissions and Records Office with a photo ID, requesting that directory information not be released. This request will remain valid until the student submits a request to Revoke Previous Request to Prohibit Release of Directory Information form to the college Admissions and Records Office.

Any request for directory information must be submitted in writing to the Admissions and Records Office.

Pursuant to Board Policy 5040, and for the purposes of general publication, the District has designated directory information to include the following:

- Name
- Major field of study
- Full or part-time enrollment status
- Participation in officially recognized athletic sports including weight, height, and high school of graduation
- Dates of attendance
- Degrees and awards received including honors, scholarship awards, athletic awards and Dean's list recognition Degrees and certificates awarded including honors, scholarship awards, athletic awards and Dean's list recognition
- Photographs, video or web image of the individual or campus scenes including the individual in College publications, promotional materials, or on the College's website.
- Names, addresses, phone number of graduates and former students for publication in the College alumni directory and only with their consent.
- A student ID number or other unique personal identifier that is displayed on a student ID card, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Student education records shall be furnished in compliance with a judicial order or a lawfully issued subpoena. The District shall make a reasonable effort to notify the student in advance of compliance with a lawfully issued subpoena and, in the case of compliance with a court order, if lawfully possible within the requirements of the order.

College officials and employees of the District may be permitted access to student education records when they have a legitimate educational interest to inspect student education records. Requests to access student education records must be made in writing to the Dean of Enrollment Services or Vice President of Student Affairs.

Access to student education records may be permitted to:

- Authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. When the collection of personally identifiable information is specifically authored by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements;
- Officials of other public or private schools or school systems, including local, county or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll subject to the provisions of Education Code 76225;
- Agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to determine the eligibility of the student for financial aid, to determine the amount of the financial aid, to determine the conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid;
- Organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. All requests for student education records under this paragraph must obtain the approval of the superintendent/president;
- Appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law.

The following student information shall be released to federal military recruiters for purposes of military recruitment:

- student names;
- addresses;
- telephone listing;
- age (or date of birth);
- academic majors, degrees and certificates received;
- most recent educational institution enrolled in by the student

No student recruiting information shall be released regarding any student when the student has notified the District in writing that this information shall not be released, or when the student has notified the District in writing that directory information regarding the student shall not be released.

The District may provide, in its discretion, statistical data from which no student may be identified to any public agency or entity or public/private nonprofit college, university, or educational research and development organization when such actions would be in the best interests of students.

Charge for Transcripts or Verifications of Student education records

A student/former student shall be entitled to two free copies of the transcript of his/her record and free enrollment verifications by written request. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$6.00 per copy and an additional \$2.25 for online orders per copy through the National Student Clearinghouse. Rush transcript service is available for an additional \$12.00 per copy.

The District electronically receives and sends transcripts using transmission systems and protocols that are secure and protect student privacy in a manner that complies with federal and state privacy laws, to satisfy the requirements of Education Code Section 76225. Students may order electronic transcripts using an automated online ordering service through the college's website at www.hartnell.edu/transcripts.

Use of Social Security Numbers

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his/her social security number over the internet using a connection that is not secured or encrypted;

- Require an individual to use his/her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; or .
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, unless State or Federal law requires the social security number to be on the document to be mailed or if materials used for:
 - Application or enrollment purposes;
 - To establish, amend, or terminate an account, contract, or policy; or
 - To confirm the accuracy of the social security number.

See Board Policy 5040

Approved by Superintendent/President: February 10, 2017