



Rockingham Community College
FERPA POLICY NOTICE
Family Educational Rights and Privacy Act

Rockingham Community College adheres to and annually informs students of the Family Educational Rights and Privacy Act of 1974, as amended. Under the Family Educational Rights and Privacy Act (FERPA) students have certain rights with respect to their education records. Information regarding this legislation and student rights can be found below.

What is FERPA?

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects the privacy of student education records. This law applies to all educational agencies and institutions that receive funds under an applicable program of the U.S. Department of Education. Rights to education records transfer from the parent to the student when the student reaches the age of 18 or attends a school beyond the high school level at any age.

As a general rule, under FERPA, personally identifiable information may not be released from a student's education records without the student's prior written consent. Exceptions to this rule are included in the FERPA regulations and the FERPA procedure of Rockingham Community College (RCC).

What are "Education Records?"

"Education Records" are records, files, documents, and other materials which contain information relating directly to a student and are maintained by the college or a person acting for the college. Education records include but are not limited to grades, transcripts, class lists, student course schedules, student financial information, and student discipline files.

"Education records" do not include:

- Sole possession records or private notes made by faculty and staff for their own use as reference or memory aids and are not accessible or released to other personnel;
- Law enforcement or campus security records which are solely for law enforcement purposes;
- Records of employees not in attendance at the college made and maintained in the normal course of business which relate exclusively to the employee in their role as an employee and are not available for use for any other purpose;
- Records made or maintained by a physician, psychiatrist, psychologist or other recognized professional related to treatment;
- Records about an individual obtained after that individual is no longer a student at the college (i.e. alumni records); or
- Peer graded papers and exams before they are collected and recorded by the instructor.

Students' rights with respect to their education records include:

1. **The right to inspect the student's education records within 45 days of the day the college receives a request for access.** A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student seeks to inspect. The appropriate college official will make arrangements for access and notify the student of the time and location where the records may be inspected. If the records are not maintained by the college official to whom the request was submitted, that official will advise the student of the correct official to whom the request should be addressed. In the event the requested record includes information on more than one student, each student is entitled to review or be informed only of that part which pertains to that student.
 - a. Students may not inspect financial records and statements of the parents, confidential letters of recommendation placed in their records before 1974 (with some exceptions), or confidential letters of recommendation placed in their records after January 1, 1974, if they have waived their rights to inspect and review such letters.
2. **The right to request the amendment of the student's education records in the event the student believes there is inaccurate or misleading information.** Students requesting the college to amend a record they believe to be inaccurate or misleading must do so in writing to the college official responsible for maintaining the record. The written request should clearly identify the part of the record in question and specify what is believed to be inaccurate or misleading.
3. **The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent** (see the information following this section). Students may grant consent to release education record information to an individual by submitting a completed Consent to Release Student Information Form to the Records Office or by submitting an official transcript request.
4. **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 is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

What is "Directory Information?"

"Directory Information" is information contained in a student's education records that generally would not be considered harmful or an invasion of privacy if disclosed. The following is designated as "directory information" at RCC: legal and chosen name, city and state of address, major field of study, class level, enrollment status (full-time, half-time, or part-time), dates of attendance, degrees and awards received, participation in officially recognized activities, the most recent previous educational agency or institution attended by the student, and weight and height of members of athletic teams.

RCC may disclose "directory information" to third parties without student consent for any purpose, at the college's discretion. RCC does not publish or distribute lists of applicants, currently enrolled students, or graduates for use by non-profit or for-profit off-campus organizations. Additionally, RCC does not release "directory information" to any requester for commercial, marketing, or solicitation purposes. Examples of "directory information" made public include: name, city, and state of students who are

named to the President's List or Dean's List, hold an office, or received honors and other awards; and graduate names and degree/diploma/certificate earned in the commencement ceremony program.

Students who do not wish to have any or all "directory information" made public without their consent must submit a completed Non-Disclosure Request form to the Records Office. Requests are effective once received and are not retroactive to information already released. Requests are honored until the student graduates, ceases to attend, or the student withdraws the request, in writing. If a student requests "directory information" be withheld, the enrollment of the student cannot be verified to external entities such as potential employers, colleges, or universities, or medical insurance companies. Additionally, the name of the student will not appear in any official college publications distributed to the public, such as a commencement program. The name of the student will also not be included in any information submitted to the media when academic honors (such as Dean's List and President's List) and graduation announcements are made.

What Information About a Student May Be Released Without the Student's Consent?

FERPA permits disclosure without consent to:

- School employees who have a legitimate educational interest (these persons are employed by the college in an administrative, supervisory, academic or research, or support staff position, including: Campus Security personnel, persons serving on the Board of Trustees, persons assisting another college official in performing his or her duties, and individuals – including students – serving on an official college committee such as a disciplinary, grievance, or appeals committee);
- Other schools, upon request, in which a student is seeking or intending to enroll;
- Accrediting organizations;
- Organizations performing certain studies for or on behalf of the college;
- Appropriate parties in connection with financial aid to the student, to determine eligibility, amount, or conditions of financial aid, or to enforce the terms and conditions of aid;
- Parents when a student over 18 is still a dependent (see additional information under parental rights);
- Certain governmental officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with an audit, authorized representatives of the U.S. Attorney General for law enforcement purposes, or state or federally-supported education programs;
- Individuals who obtained a judicial order or subpoena;
- School officials who have a legitimate need to know concerning disciplinary action taken against a student;
- Appropriate parties who need to know in cases of health and safety emergencies, when necessary, to protect the health and safety of the student and/or others;
- State and local authorities, within the juvenile justice system, pursuant to specific state law;
- Alleged victims of a crime of violence seeking the results of a disciplinary proceeding with respect to that crime;
- Parent or legal guardian of a student under the age of 21, pertaining to information regarding any violation of a college policy or state, federal or local law, governing the use or possession of alcohol or a controlled substance; and

- Approved parties requesting “directory information” provided the student has not requested their “directory information” be withheld.

What rights do parents have under FERPA?

Rights to access a student’s education records transfer from the parent to the student upon reaching 18 years of age or attending any school beyond the secondary level at any age.

The law allows, but does not require, parental access if a student is claimed as a dependent for federal income tax purposes, as defined/described in the IRS Code. The parent must complete the [Parental Request for Academic Information](#), available in the Admissions and Records offices, each time information is requested. Proof that a parent is including a student as a dependent under federal tax laws is required to disclose (without a student’s consent) information to the parents of a student 18 years or age or older. Access is granted to the parent who claims the student as well as the parent not claiming the student.

If a student is not claimed by either parent as a dependent according to the IRS Code, the parent may gain access to student information only if the student is willing to permit the release of the information by completing and submitting a Consent to Release Student Information form.

Questions?

Questions about FERPA should be directed to the Records Office. The FERPA regulations, the RCC FERPA procedure, and applicable forms are available in the Admissions and Records offices and on the RCC web site.

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