

Chapter 5 - Student Services

AP 5040 Student Records, and Directory Information, and Privacy

References:

Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq., U.S. Patriot Act; Civil Code Section 1798.85

Students are notified annually of their rights under the act in the College Catalog. Detailed information is available through the Director of Admissions and Records including : 1) type of information and materials contained within the student's educational record; 2) the official responsible for the maintenance of each type of record; 3) the procedure for student review and inspection of the educational record; 4) the procedure for challenging the contents of the educational record; 5) the charges of the student for reproducing copies of the record if requested, 6) the categories of information which the College as designated as Directory Information and to whom this information will be released unless the student objects; and 7) the rights of a student to file a complaint with the United States Department of Education concerning alleged failure of the College to comply with the provisions of the Act.

Student Rights and Privacy Act

The following is a summary of the Mt. San Antonio College policy related to the Family Educational Rights and Privacy Act of 1974, O.L. 93-380, and Chapter 1297, Statutes of 1976, State of California:

Access to Educational Records

All former and present students have the right to review and inspect their educational records in the Admissions and Records Office provided they make a written request fifteen (15) days in advance. Such a review will be under the direct supervision of a classified or certificated employee in the Admissions and Records Office. Expressly exempted from the right of review and inspection are the following materials:

1. Financial records of the parents of the student(s),
2. Confidential letters and statements of recommendation maintained by the College on or before January 1, 1975, provided that such letters or statements are not used for purposes other than those for which they were specifically intended,
3. Records of instructional, supervisory, counseling, and administrative personnel which are in the sole possession of such personnel and are not accessible or revealed to any other person except a substitute,
4. Records of employees of Mt. San Antonio College, made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee, are not available for use for any other purpose, and

5. Records of students made and maintained by the Student Health Services, the College nurse, the College physician, and the College therapist, which are used in the treatment of students and are not available to anyone other than persons providing such treatment. However, such a record may be personally reviewed by a physician or other appropriate professional of the student's choice.

Release of Educational Records Information

1. Any release of a student's educational records, with the exception listed below, must be made with the student's written consent.
2. The College may release copies of or otherwise divulge material in the student's educational records only to the official agencies, groups, officials, or individuals specifically mentioned below:
 - a. College staff members; provided that such employees have a legitimate educational interest to inspect such a record;
 - b. Representatives of the Comptroller General of the United States, the Secretary of Education, and administrative head of an educational agency, State education officials, and the United States Office of Civil Rights, where such information is necessary to audit a program;
 - c. Accrediting organizations in order to carry out their functions;
 - d. Organizations conducting studies on behalf of the institution;
 - e. Officials of other schools or school systems in which the student seeks or intends to enroll subject to the rights of students;
 - f. Agencies or organizations in connection with a student's application for financial aid;
 - g. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, and 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 or 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 compiled;
 - h. Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health and safety of the student or other persons; and
 - i. Courts or other agencies in compliance with a subpoena or judicial order. A reasonable effort will be made to notify the student in advance of the compliance by the College.

3. Directory Information:

- a. "Directory Information" means a student's name, community of residence, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.
- b. Any student desiring to withhold "Directory Information" may file a written request with the Director, Admissions and Records, within fifteen (15) days of the opening day of each semester or session that the student does not want such information released.
- c. The College reserves the right to limit or deny the release of specific categories of directory information based upon a determination of the best interests of the student(s).

Transfer of Information to Third Parties

- Educational records or personal information transferred to other institutions or agencies will not be transferred to a third party without the written consent of the student.
- College personnel shall refer law enforcement requests for student information to the Admissions and Records Office or the Student Life Office. Requests for student Public Directory Information may be supplied unless the student has a written statement on file in Admissions and Records that information is not to be released (Education Code Section 76240).
- Law enforcement personnel seeking to arrest or talk with a student are to be referred to the Student Life Office and to the Office of Student Learning, and to Campus Safety personnel when classes are not in session. The student will not be identified nor located for the officer without written consent of the student or judicial (warrant), except in case of emergencies to protect the health and welfare of students, other persons or property (Education Code Section 76243).
- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records may be released 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. Exceptions are that when the collection of personally identifiable information is specifically authorized 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. The Director of Admissions and Records is responsible for providing this information.

- Student records may be released to 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. The release is subject to the conditions in Ed Code Section 76225. The Director of Admissions and Records is responsible for providing this information.
- Student records may be released to 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 financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. The Director of Admissions and Records is responsible for providing this information.
- Student records may be released to 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. The Director of Admissions and Records is responsible for providing this information.
- Student records may be released to 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 Director of Admissions and Records is responsible for providing this information.
- The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.

Charge for Transcripts or Verifications of Student Records

A student/former student shall be entitled to two free copies of the transcript of his/her record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$2.00 per copy.

The Mt. San Antonio College Catalog contains the most recent information regarding student rights and privacy. This document is updated annually for currency and correctness.

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