POLICY

Student records at Ocean County College are governed by the Family Educational Rights and Privacy Act (FERPA) of 1974. FERPA is a federal law that protects the privacy of student education records and gives students certain rights with respect to their education records. These rights include:

1. The right to inspect and review information contained in their education records;
2. The right to request the amendment of inaccurate or otherwise inappropriate education records;
3. The right to consent to the disclosure, with certain exceptions specified in the Act, of personally identifiable information from educational records; and
4. The right to file a complaint with the Family Compliance Office in the U.S. Department of Education concerning alleged failures by Ocean County College in complying with the requirements of FERPA.

FERPA gives parents certain rights with respect to their children's education records at elementary and high schools that are subject to FERPA's requirements. These rights transfer to the student when he or she reaches the age of 18 or attends a college at any age.

Under FERPA, a parent or eligible student must provide a signed and dated written consent before a school discloses personally identifiable information from the student's education records.

Definitions:

1. An eligible student means a student who has reached 18 years of age or is attending a college at any age. This means that, at the high school level, once a student turns 18, all the rights that once belonged to his or her parents transfer to the student. However, a high school or college may still provide an eligible student's parents with access to education records, without the student's consent, if the student is claimed as a dependent for IRS tax purposes. Other exceptions to FERPA's general consent rule may also apply, such as disclosures to parents in a health or safety emergency. An eligible student is a student who is currently attending Ocean County College or has previously attended Ocean County College. FERPA does not protect applicants of Ocean County College who have been admitted, but who have not attended classes at Ocean County College. FERPA does protect students attending any educational program at Ocean County College, whether credit, non-credit, degree, or non-degree. The FERPA rights of eligible students (students attending or having attended a college) lapse or expire upon the death of the student.

2. Education records are defined as records, files, documents, and other materials that contain information kept in either physical or electronic form directly related to a student and that are maintained by Ocean County College. Records are considered directly related to a student if they are either "personally identifiable" or "easily traceable." Education records include, but are not limited to: demographic information, admission records, grades, disciplinary records, class schedules, printed class lists, graded tests/papers, financial aid records. Education records do not include the following: sole possession records (private notes) made by faculty and staff for their own use as reference or memory aids and not shared with others, personal observations, campus law enforcement records, employment records (excluding student employment records), records made or maintained by a physician or psychologist used only for the treatment of the student, alumni records which do not contain information about the person as a student.

3. College officials are people employed by the College in administrative, supervisory, academic,

research, or support staff positions, including college security staff. College officials also include attorneys, auditors, collection agencies, or the National Student Clearinghouse with whom the College has contracted, or to whom the College must report. Additionally, members of the Board of Trustees, students serving on committees, and students assisting College officials in performing job responsibilities are College officials.

4. An Ocean County College office may release personally identifiable "directory information," from a student's education record without first obtaining the student's written permission, unless the student has requested this information remain confidential.

Ocean County College defines Directory information as the student's:

- Name
- Address
- E-mail address
- Telephone listing
- Date and place of birth
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Degrees, certificates, and awards received
- Most recent previous educational agency or institution attended by the student

Ocean County College may release directory information without the student's consent in certain instances. Some common exceptions are listed below:

1. College officials who have a legitimate educational interest in viewing a student's education records. Legitimate educational interest is defined as the need to review a student's education records by a College official in order to fulfill professional responsibilities.
2. Officials at an institution at which a student seeks to enroll.
3. In connection with health or safety emergencies if necessary to protect the student or others.
4. Parents of a student younger than 21 years of age if the disclosure concerns discipline for violation of the campus drug and alcohol policy.
5. Financial aid lenders checking enrollment status for loan purposes.
6. In response to a court order or subpoena, after reasonable effort has been made to notify the student (unless ordered by the court not to contact the student).
7. Authorized representatives of the following: Secretary of the Department of Education; Office of the Comptroller General; Attorney General's Office of the United States; state and local education authorities as part of an audit or program review; research firms working for the institution; military recruiters.

Person Proxy

Definitions:

Proxy is a person authorized to act on the behalf of another.

A student can designate an individual as their proxy to have access to designated pages in Self-Service. Currently, students can grant proxy access in the areas of Student Finance, Financial Aid, Academics, and General Information.

This designation does not take the place of the protections afforded to the student under the Family Educational Rights and Privacy Act (FERPA). Release of a student's non-directory education records, including to parents and designated proxies, is limited to what the student authorizes through the proxy process or explicit written consent on the **Authorization to Release FERPA Protected Information** form (Attachment A).

ADOPTED: January 25, 1971
Revised: March 24, 1975
Revised: April 22, 1996
Revised: February 28, 2000
Revised: November 20, 2000
Revised: December 12, 2019

PROCEDURE

In order to insure that the privacy of student records is maintained in those cases where students do not wish Directory Information to be released, the following procedure is in effect:

1. The right to inspect and review information contained in student education records

   This right should be granted within forty-five (45) days of the day the College receives a written request for access. Students requesting access to their records must present proper identification and signed **Student Request to Inspect and Amend Education Records** forms (Attachment B) to the Registrar in the Registration and Records Department. The request should identify the record(s) the student wishes to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Registration and Records Department, to whom the request was submitted, the Registrar shall contact the correct department/official wherein the records are maintained.

   An eligible student may be provided copies of education records if the student does not live within commuting distance of the College.

   Ocean County College reserves the right to deny copies of records, including transcripts, in any of the following situations: (a) the student has an unpaid financial obligation to the college or district; (b) there is an unresolved disciplinary action against the student; or (c) the education record requested is an exam or set of standardized test questions.

2. The right to request the amendment of inaccurate or otherwise inappropriate education records

   Students may exercise this right when they believe their records are inaccurate, misleading, or otherwise in violation of student privacy rights under FERPA.

   Students requesting amendment to their records must present proper identification and signed **Student Request to Inspect and Amend Education Records** forms (Attachment B) to the Registrar in the Registration and Records Department.

   Any form submitted with missing information will not be considered, and the requestor will be notified in writing that the request was not made properly.

   The Registrar will make a prompt determination within a reasonable time, but no more than thirty (30) days, as to whether the proposed correction is accepted or rejected. If the Registrar decides not to amend the record as requested, the Registrar will notify the student in writing of the decision and of the student's right to appeal the decision.

   a) An appeal request provides the student an opportunity to present information and evidence concerning a clerical or recording error in the education record which needs to be corrected. The appeal request is not an opportunity to review substantive decisions by the College faculty or staff concerning evaluation of academic work or outcomes of disciplinary proceedings.
   b) A student can request an appeal by submitting the **FERPA Request for Appeal** form (Attachment C) to the Registration and Records Department within seven (7) business days of the notice of denial to amend a student's record.
   c) Appeal requests will be submitted to the Vice President of Student Affairs to determine if there are grounds for an appeal as documented in the student handbook. If the Vice President of Student Affairs determines there is no basis for an appeal, the appeal will be denied and the student will be notified of the decision within seven (7) business days

of the receipt of the appeal request. Decisions by the Vice President of Student Affairs regarding the merit of an appeal are final. If credible support of the appeal is submitted, the Vice President of Student Affairs will forward the appeal for administrative review and will notify the Registrar and student within seven (7) days of when the appeal is sent to the Administrative Review Panel for consideration.

d) Composition of the Administrative Review Panel will follow the guidelines outlined in the Student Handbook. The Vice President of Student Affairs will form a Panel and schedule a meeting to review the appeal within ten (10) business days from when the appeal was forwarded to the Administrative Review Panel.
e) Administrative Review Panel procedures will be followed as outlined in the Student Handbook. The decision of the Administrative Review Panel will be communicated in writing by the Vice President of Student Affairs within three (3) business days of the panel's decision to the Registrar and student.

3. The right to consent to the disclosure, with certain exceptions specified in the Act, of personally identifiable information from education records

Students wishing to disclose all or portions of their academic record must complete the **Authorization to Release FERPA Protected Information** form (Attachment A) and return it to the Registration and Records Department.

Ocean County College must receive consent from students before disclosing any personally identifiable information from their education records, unless such disclosure without consent is authorized by law. Students who want to withhold directory information should submit the **Request to Prevent Disclosure of Directory Information** form (Attachment D) to the Registration and Records Department.

Students should consider very carefully the consequences of a decision to withhold directory information. A privacy block will call for the College to not release directory information. A few other notes:

a) If a student blocks directory information, it still may be inspected by those Ocean County College officials authorized by law to inspect education records without consent.
b) If a student chooses to block directory information, it cannot be released to friends, family, prospective employers, the news media, advisors, student activities, and honors societies.
c) Some reasons for considering a privacy block on directory information include harassment or the advice of a legal or medical professional.
d) If a student wishes to keep public data private but to release information so it can be published in commencement programs and honors lists, the student should contact the Registration and Records Department.

Although the College will honor a student's request to withhold directory information, it cannot assume responsibility to contact the student for subsequent permission to release this information. The College assumes no liability as a result of honoring a student's instructions to withhold such information.

If a student wishes to remove the privacy block, the student must rescind the previous block by submitting the **Revocation of Directory Information** form (Attachment E). The College cannot assume responsibility to contact students for subsequent permission to release this information. It is the sole responsibility of the student to initiate the release of blocked information.

4. The right to file a complaint with the Family Compliance Office in the U.S. Department of Education concerning alleged failures by Ocean County College in complying 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, D.C. 20202-5901

Self-Service Proxy Access

Students can grant parents or others view-only access to select pages of their student records via the student portal using Self-Service and choosing “View/Add Proxy Access.” Students can allow complete access or select access to their records for each proxy created. Following the creation of a proxy, the proxy receives an email with proxy information, including a personal username and how to activate the account to log in to view the student records. The proxy’s access will remain until such time as the student updates or removes all access.

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