



ACCREDITATION EVIDENCE

Title: Board Policy 5110C: Family Educational Rights and Privacy ACT (FERPA)

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FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

References: Family Educational Rights and Privacy Act (FERPA); 20 U.S.C. § 1232g; 34 CFR Part 99; and 34 CFR §99.31. WY State Statutes: § 21-18-202 (e)(v)(B) and §21-18-318. Education-student data security: Enrolled Act Number 66.

Western Wyoming Community College (The College) complies with all federal and state retention and privacy laws. The College shall protect all student records maintained by the institution, as outlined in the Family Educational Rights and Privacy Act of 1974 as amended (FERPA), which is designed to protect the confidentiality of the records that educational institutions maintain on students and to give students access to their records to ensure the accuracy of the contents.

For the purposes of this policy, a student is any person who attends or who has attended the College; if a student is attending a postsecondary institution - at any age - the rights under FERPA have transferred to the student.

Adopted June 25, 2019
Revised November 11, 2021

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An education record is a record maintained by the College which is directly related to a student, with the following exceptions:

- Personal notes made by teachers and other school officials that are not shared with others are not considered education records;¹
- Records maintained with campus security, solely for law enforcement/security purposes;
- Clinical records made, maintained and used by professionals or paraprofessionals in a counseling setting, only in connection with treatment of the student and disclosed only to individuals providing the treatment;

Student Rights

FERPA affords students certain rights with respect to their education records. These rights include:

Access to Educational Records

Provided that they have not previously waived the right of access and after enrollment at the College, students have the right to inspect and review their education records within 45 days of the day the College receives a written request for access. Students should submit their written request, identifying as precisely as possible the record(s) they wish to review, to the Registrar or their designee. If the record(s) requested is not maintained by that official, the Registrar will advise the student of the correct official to whom the request should be addressed. Otherwise, the official will make arrangements for the student to review the education record(s). A minimum charge of \$0.10 per page may be charged for all copies of records.

¹ National Center for Education Statistics (NCES), Protecting the Privacy of Student Education Records, March 1997. Electronically retrieved at: <https://nces.ed.gov/pubs97/web/97859.asp>.

Records Not Open to Student Review

In accordance with federal regulations, students do not have the right to review the following records:

- The financial records of the student's parents.
- Letters and statements of recommendation for which the student has waived his or her right of access.
- Education records containing information about more than one student, in which case the College will permit access only to that part of the record which pertains to the inquiring student.
- Any record which is excluded from the definition of education records.

Request for Amendment of Education Records

Students have the right to request amendment of their education records if they believe the records are inaccurate or misleading. Students should write the College official responsible for the specific record, clearly identifying the part of the record they want changed and specifying why it is inaccurate or misleading. That College official will respond to the student within 10 business days after receiving the request. If the request to amend the record is denied, the College official will advise the student of his or her rights under the College's appeal process.

Disclosure of Education Records

Students have the right to consent to disclosures of personally identifiable information in their education records, except to the extent that FERPA or any superseding law authorizes disclosure without consent. Consent for the disclosure of a student's education records must be in writing, signed and dated by the student, specifying the records to be released, the reasons for such release, and to whom the records are to be disclosed. Records of students classified as dependents of their parents by the IRS code can be revealed to parents of such dependents at the discretion of the College.

Release of Records

Students have the option of signing a release form in the event the student wishes to grant some other person access to protected records. This involves signing a form (FERPA release form) and presenting that form to Mustang Central.

Students in programs with program-specific accreditation may be asked to provide a release of information form if the accrediting agency for that program requires protected student information during the reaffirmation of accreditation process (e.g., the Accreditation Commission for Education in Nursing (ACEN) requires student information as part of the reaffirmation process).

Directory Information

The College designates the following categories of personally identifiable student information as public or "Directory Information". The College may disclose such information at its

discretion. Currently enrolled students may withhold disclosure of directory information by submitting written notification on an annual basis (if possible, prior to the beginning of the fall semester) to Mustang Central. Directory information will then be withheld until the student releases the hold on disclosure. Students should understand that by withholding directory information, some information considered important to students may not reach them.

- Student's full name
- Current enrollment status
- Telephone number
- Local and permanent address
- Email address
- Photos and video used in campus publications
- Dates of attendance
- Class standing (e.g. sophomore)
- Program of study
- Awards and honors
- Degree(s) conferred (including dates of conferral)
- Full-time or part-time status
- Participation in officially recognized sports and activities
- Height and weight of student athletes
- Class lists used within online courses

Compliance

Students are encouraged to contact the Registrar or their designee if they have questions about this policy. Under FERPA, students have the right to contact the Family Policy Compliance Office, U.S. Department of Education, Washington, DC, with a complaint about the College's compliance with FERPA.

Right of the College to Refuse to Make Copies of Records

The College reserves the right to deny copies if the transcripts or other records are not required to be made available under FERPA, if the student has an overdue financial obligation to the College, or if there is an unresolved disciplinary action against the student.

Annual Notification of Rights

Under FERPA, a school must annually notify eligible students of their rights under FERPA. The annual notification must include information regarding an eligible student's right to inspect and review his or her education records, the right to seek to amend the records, the right to consent to disclosure of personally identifiable information from the records (except in certain circumstances), and the right to file a complaint with the College regarding an alleged failure by a school to comply with FERPA. It must also inform eligible students of the College's definitions of the terms "school official" and "legitimate educational interest".

FERPA does not require a school to notify eligible students individually of their rights under FERPA. Rather, the school may provide the notice by any means likely to inform eligible

students of their rights. Thus, the annual notification may be published by various means, including any of the following: in a schedule of classes; in a student handbook; in a calendar of school events; on the school's website (though this should not be the exclusive means of notification); in the student newspaper; and/or posted in a central location at the school or various locations throughout the school. Additionally, some schools include their directory information notice as part of the annual notice of rights under FERPA.

Adopted June 25, 2019
Revised November 11, 2021