PURPOSE

The purpose of this procedure is to define the process for students to request to inspect their student records.

PROCEDURE

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution, regardless of their age. These rights apply to current as well as former students and include:

1. The right to inspect and review the student’s education records within 45 calendar days after the school receives a request for access.

   a. 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 wishes to inspect. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

b. The school official will make arrangements for the student to review the records within the 45 day period and notify the student of the time and place where the records may be inspected.

c. If the student no longer lives within a reasonable commuting distance from the college, the college will make other arrangements for the student to review the record. This could include providing the student a copy of the record when failure to provide a copy would effectively prevent the student from reviewing the record.

Limitations exist on student’s rights to review their education records. Students should not be able to review:

- Education records that contain information about another student(s); however, in such cases, the college will permit access to that part of the record which pertains only to the inquiring student.
- Confidential letters and statements of recommendations placed in their file prior to January 1, 1975, provided these letters were collected under established policies of confidentiality and were used only for the purposes for which they were specifically collected.
- Confidential letters and statements of recommendations placed in their file after January 1, 1975, regarding which the student has waived his/her right to inspect and that are related to the student’s admission, application for employment or job placement, or receipt of honors.

2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. Note: The right to challenge grades does
not apply under FERPA unless the grade assigned was inaccurately recorded, in which case the record will be corrected if an error is confirmed.

a. A student who wishes to ask the school to amend a record should submit a written request to the school official responsible for the record, clearly identifying the part of the record the student wants changed, and specify why it should be changed.

b. The school official must decide within a reasonable period of time whether an amendment to the record will be made and the student must be notified of the decision. If the decision is in agreement with the student’s request, the appropriate record(s) will be amended.

c. If the decision is not in agreement with the student’s request, the student will be notified in writing of the decision and the student’s right to a formal hearing regarding the request for amendment.

Hearings to Challenge Records

Students challenging information in their records must submit, in writing, a request for a hearing to the appropriate office maintaining the record, listing the specific information in question and the reasons for the challenge.

Within a reasonable period of time, the student will be notified of the date, time and place of the hearing, providing the student reasonable advance notice. Hearings will be conducted by a college official who has no direct interest in the outcome of the hearing.

Students shall be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge. The student may be assisted or represented at the hearing by one or more persons of their choice, including an attorney, at the student’s expense. However, as this is not a legal hearing, formal Rules of Evidence or due process do not apply.

The hearing officer will render a decision, in writing, noting the reasons and summarizing all evidence presented within a reasonable period of time after the challenge is filed.
Should the hearing result in a favorable outcome for the student, the record(s) shall be amended accordingly. Should the request be denied, the student will be notified of their right to place with the education record a statement commenting on the information in the record, or a statement setting forth any reason for disagreeing with the decision of the hearing. The statement placed in the educational record by the student will be maintained as part of the record for as long as the record is held by the college. The record, when disclosed to an authorized party, will include the statement filed by the student.