

# TECHNICAL COLLEGE OF THE LOWCOUNTRY

## PROCEDURE

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**PROCEDURE TITLE:** The Family Education Rights and Privacy Act of 1974 (FERPA)

**BASED ON POLICY:** 4-1-405

**REVISION NUMBER:** 3

**OFFICE OF RESPONSIBILITY:** STUDENT RECORDS

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\_\_\_\_\_  
**PRESIDENT**

November 30, 2012  
\_\_\_\_\_  
**DATE**

### PURPOSE

The purpose of this procedure is to address institutional compliance with the Family Education Rights and Privacy Act of 1974, as amended (FERPA).

### PROCEDURE

1. The college will protect the privacy of students' personally identifiable information contained within their education records. This protection of privacy extends to personally identifiable information of all Technical College of the Lowcountry students, including those enrolled in online or distance education courses, at all Technical College of the Lowcountry campuses and off-site locations and Continuing Education.
2. Under the Family Education Rights and Privacy Act of 1974, as amended, Directory Information may be released in accordance with the provisions of FERPA without written consent of an eligible student, and may be disclosed by the institution for any purposes, at its discretion, unless a student has filed a

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“Request for Non-Disclosure of Directory Information” form with the Student Records department.

- a. The college defines Directory Information as: name, county of residence, dates of attendance, academic credentials received (degree, certificate, diploma), enrollment status (full-time/part-time), and academic awards received (Phi Theta Kappa, honor lists, etc.)
  - b. Students wishing to file a “Request for Non-Disclosure of Directory Information” form may do so by submitting a signed form to the Student Records department. Requests may be submitted at any time during the academic year and will remain in effect until such time that the student submits a written request to Student Records to revoke their request for non-disclosure.
3. The college will not release educational records or personally identifiable information without the student’s written consent except to the extent that FERPA authorizes disclosure without consent:
- a. To school officials with legitimate educational interests. A school official is a person employed by the college in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel); a person or company with whom the college has contracted as its agent to provide a service instead of using college employees or officials (such as an attorney, auditor, collection agent or National Student Clearinghouse); a person serving on the Area Commission; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
  - b. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the college.
  - c. To authorized representatives of federal, state, or local educational authorities; accrediting organizations; organizations conducting studies for, or on behalf, of the college; or when the disclosure is in connection with financial aid for which the student has applied or received.

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- d. When the disclosure is to a victim of an alleged perpetrator of a crime of violence or non-forcible sex offense; the disclosure is in conjunction with a disciplinary proceeding, subject to requirements in Section 99.39 of the Act; or when the disclosure is to a parent of a student under the age of 21 concerning the student's violation of any law or policy regarding the use or possession of alcohol or a controlled substance.
  - e. When the disclosure is in connection with a health or safety emergency; or when the disclosure is to comply with a judicial order or lawfully issued subpoena.
  - f. When the disclosure is to the parent of a dependent student, and that parent has satisfied the requirements to document the dependency per the College's established guidelines. These guidelines are maintained in the Student Records department.
4. Students have the right to inspect and review their education records within 45 days of the college's receipt of their request for access. Additionally, students may challenge the content of their education records if they consider the information within to be accurate, misleading, or otherwise in violation of their rights under FERPA.
  - a. A copy of the Request to Inspect and/or Amend Student Records Procedure can be obtained from the Student Records department.
5. The Student Records department will provide an annual notification to students in attendance of their rights under the Family Education Rights and Privacy Act of 1974, as amended.