

# AP 5040 Student Records, Directory Information, and Privacy

Reference: *Education Code Sections 71091 and 76200 et seq.; Title 5 Sections 54600 et seq.; U.S. Patriot Act; and Civil Code Section 1798.85*

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The Grossmont-Cuyamaca Community College District (District) procedures will ensure that a cumulative record of enrollment, scholarship, and educational progress shall be kept for each student. In accordance with federal and state laws, the Chancellor shall implement procedures to maintain the privacy of student records.

The Chancellor shall also implement security measures for student records that ensure no person may obtain access to student records, including student grade records without proper authorization. These measures shall be installed as part of any computerized grade data storage system.

Student records are any item of administrative information directly related to an identifiable student maintained by the District.

The following records are administrative records that are expressly exempted from the right to review and inspection:

- Financial records of parents of the student relating to application for financial aid and scholarships.
- Appropriate records of instructional supervisory and/or administrative personnel which personnel that are in their sole possession and are not accessible or revealed to any other person.
- Human Resource Information pertaining to persons employed by the District.

## Student Access to Records:

Students presently or previously enrolled have the right to access their individual student records maintained by the District. Students shall be granted access within fifteen (15) working days of their initial request made to the Admissions and Records Office.

## **Release of Student Records:**

No instructor, official, employee, or member of the Governing Board shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent or verified electronic consent. No District representative (instructor, official, employee, or Governing Board member) shall release the contents or shall authorize access of a student's record to any member of the public without the prior written consent or verified electronic consent of the student, other than

directory information as defined in this procedure; and information sought pursuant to a federal judicial court order, or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

- 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 officials and employees of the District only when they have a legitimate educational interest to inspect the record. 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.
- 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 Education Code Section 76225.
- 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.
- 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.
- 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 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, major(s), degrees

received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.

Procedures on obtaining student records can be located in the Admissions and Records Office and in the college catalogs.

**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. The additional per-copy fee can be obtained from the Admissions and Records Offices at each of the District college campuses. Students may request special processing of a transcript, which may include additional fees.

**Student Grades:**

Any student or District representative who is found to have gained access to student records including grade recording systems without proper authorization, or who is found to have used information accessed or changed any grade without proper authority to do so, shall be subject to discipline in accordance with District policies and procedures and may be reported to the appropriate law enforcement agency having jurisdiction over the District or college where the incident occurred.

~~Any person who is found to have gained access to student records including grade recording systems without proper authorization, or who is found to have used information accessed or changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency having jurisdiction over the District college where the incident occurred.~~

**Electronic Transcripts:**

~~The District may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.~~

**Use of Social Security Numbers:**

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his/her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication devise; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
  - ♦ Application or enrollment purposes;
  - ♦ To establish, amend, or terminate an account, contract, or policy; or
  - ♦ To confirm the accuracy of the social security number.

~~If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:~~

- ~~▪ The use of the social security number is continuous;~~
- ~~▪ The individual is provided an annual disclosure that informs the individual that he/she has the right to stop the use of his/her social security number in a manner otherwise prohibited;~~
- ~~▪ The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;~~
- ~~▪ No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.~~