

NUMBER: 692

SUBJECT: STUDENT RECORDS ACCESS PROCEDURES

APPROVAL DATE OF LAST REVISION: AUGUST 15, 2005; JANUARY 24, 2011; NOVEMBER 23, 2015; JUNE 19, 2017

PAGE 1 OF 2

692.1 – DEFINITIONS

692.1.1 – FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Student records are subject to the Family Educational Rights and Privacy Act (FERPA) of 1974, a federal law with the purpose of providing and ensuring that: (1) students will have access to inspect and review their educational records, and (2) protects the rights of a student to privacy by limiting access to the educational record without express written consent. FERPA prohibits the College from releasing certain personally identifiable information from a student's record to a third party (e.g. parent, spouse, etc.) without the student's explicit consent.

Additionally, FERPA affords students certain rights with respect to their educational records. These rights include: (1) the right to inspect and review information contained in their educational records; (2) the right to request to amend their educational records; (3) the right to consent to 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 U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.

692.2 – PROCEDURES

692.2.1 – RIGHT TO INSPECT AND REVIEW

In compliance with FERPA regulation, the College will provide an eligible student an opportunity to inspect and review his or her education records within 45 days following its receipt of a request. Students requesting access to their records must present proper identification and a signed, formal written request to the Vice President for Student Services or other appropriate official. The request should identify the record(s) the student wishes to inspect. The College will make arrangements for access and notify the student of the time and place where the records may be inspected.

692.2.2 – RIGHT TO REQUEST AMENDMENT

Students may exercise their right to request an amendment of their educational records when they believe their records are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student desiring to ask the College to amend a record should write to the Vice President for Student Services, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and of the student's right to appeal regarding the request for amendment.

692.2.3 – RIGHT TO CONSENT DISCLOSURE

The College must receive written consent from students before disclosing any personally identifiable information from their educational records. Students may give the College their consent by completing a *Student Release of Information Form*. This form can be found online. The written consent must: (a) specify the records to be released, (b) identify the party or class of parties to whom disclosure may be made, and (c) be signed and dated by the student.

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PAGE 2 OF 2

692.2.3.1 – EXCEPTION: DISCLOSURE TO SCHOOL OFFICIALS

The College may release personally identifiable information from a student's educational record without first obtaining the student's written permission when the disclosure is to College officials who have a legitimate educational interest in the records. A College official is a person:

- a. employed by the College in an administrative, academic, research, or support staff position, whether full- or part-time.
- b. appointed by the Utah College of Applied Technology Administration or Board of Trustees.
- c. employed by, under contract to, or assigned to the College to perform a special task for the benefit of the College, such as an attorney or auditor.
- d. serving on an official disciplinary, grievance, or appeals committee.

692.1.4 – RIGHT TO FILE COMPLAINTS

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply 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 DC 20202-5901