

The Family Educational Rights and Privacy Act of 1974 (FERPA)

Central Alabama Community College complies with the Family Educational Rights and Privacy Act of 1974 as amended (FERPA) which provides that all students and former students of Central Alabama Community College have the right to inspect and review their educational records (includes records, files, documents, and other materials that contain information directly related to students and are maintained by an educational agency or institution or by a person acting for such agency or institution.) Responsibility for protection of the privacy of student educational records rests primarily with the Registrar and Director of Student Services.

Under the law, at the postsecondary level, parents have no inherent rights to inspect a student's educational records. The right to inspect is limited solely to the student. Records may be released to parents only if one of the following conditions has been met: (1) through the written consent of the students, (2) in compliance with a subpoena, or (3) by submission of evidence that the parents declare the student as a dependent on their most recent Federal Income Tax form. Outlined below are four limitations which exist on students' rights to inspect and review their educational records as published in the Guidelines for Postsecondary Institutions for Implementation of the Family Educational Rights and Privacy Act of 1974 as Amended, Revised Edition 2000, a publication of the American Association of Collegiate Registrars and Admissions Officers.

Definition of Educational Record

Students educational records are defined as those records, files, documents, and other materials, which contain information directly related to a student and are maintained by the College or by a person acting for the College. Specifically excluded from the definition of "educational records" and not open to inspection by students are the following materials:

1. Records of instructional, supervisory, and administrative personnel, which are in the sole possession of the maker and accessible only to the maker or a designated assistant to the maker;
2. Records of the CACC Police Department, except in those instances where they have been transmitted within the College for administrative purposes;
3. Records, which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para-professional acting in a professional or para-professional capacity or assisting in that capacity, that are created, maintained, or used only in connection with the provision of diagnosis or treatment to the student and are not available to anyone other than persons providing such treatment or who could not be involved officially within the College. However, such records are available to a physician or appropriate professional of the student's choice, if requested.

The law further outlines the following exception of items not open to inspection by students:

1. Financial information submitted by parents;
2. Confidential letters and statement of recommendations, placed in the records prior to

January 1, 1975, provided these letters were collected under established policies of confidentiality and were used only for the purposes for which specifically collected;

3. Confidential letters and statements of recommendation, placed in the records after January 1, 1975, to which a student has waived his/her rights to inspect and review and that are related to the admission of the student, application for employment or job placement, or receipt of honors;
4. Education records containing information about more than one student; however, in such cases the College must permit access to that part of the record which pertains only to the inquiring student.

Student Access to Educational Records

All students have the right to review their educational records with the following exceptions as outlined by FERPA.

Location/Identification of Individuals Responsible for Student Records

The College has designated the following officials as being responsible for student records within their respective areas:

1. Dean of Students: The Dean of Students has the overall responsibility of assuring Central Alabama Community College has an adequate record system that is maintained, kept up-to-date, and controlled by all provisions as set forth in this policy and governed by Public Law 93-380. The Dean of Student Services will be assisted in this responsibility by the following individuals.
2. Director of Enrollment Services: The Director of Enrollment Services will ensure that all students, upon acceptance to the institution, have an individual student record file containing all admission criteria.
3. Registrar and Director of Student Services: The Registrar and Director of Student Services is charged with the responsibility of continuously maintaining all student files in a safe and orderly manner, updating all records needed on the individual student, and updating and maintaining an adequate backup system for all student records. The Registrar and Director of Student Services will ensure that all provisions of this policy are met concerning the release of public information, as well as the release of information to students, institutional instructors, counselors, advisors, administrators, and local, state, and national organizations and agencies.
4. Current student files are maintained in the Information System currently known as Banner. Files of students that are not currently enrolled or being processed for enrollment are maintained at secure locations in the Records Storage Departments. The Registrar and Director of Student Services is the ultimate custodian of student records.
5. Director of Financial Aid: The Director of Financial Aid has the responsibility of maintaining an adequate and up-to-date student record file on all students receiving any

institutional, local, state, or federal financial assistance. The Director of Financial Aid will see that all provisions of federal, state, and local policies concerning individual student financial aid records are adhered to as stated in the policies.

6. **Dean of Financial Services:** The Dean of Financial Services will have the responsibility of assuring that all FERPA provisions as set forth in this policy are applied to the release of financial information concerning individual students.

To review records, students and former students may go to the respective office of record and present a valid photo ID and ask to review the record. Student must complete a Request to Review Education Records Form. Based on the circumstances at the time, the College may delay up to 45 calendar days the release of records for review. The College is not required to provide access to record of applicants for admission who are denied acceptance or, if accepted, do not attend.

Challenge of the Contents of Educational Record

Students may challenge information in their educational records that they believe to be incorrect, inaccurate, or inappropriate. The deadline for challenging an educational record will be three calendar years from the term in question. This challenge must be in writing and must be submitted to the Dean of Student Services. The Dean will decide within a reasonable period of time whether corrective action will be taken, and the Dean will provide written notification to the student and the Office of Student Services of the corrective action that has been approved. Students who are not provided full relief sought by their challenge must be referred to the Dean of Students who will inform them of their rights to a formal hearing. The final decision of Central Alabama Community College shall be in writing, shall be based solely on the evidence presented at the hearing(s), and shall include a summary of the evidence and the reasons for the decision. The decision shall be delivered in writing via office e-mail address and/or certified U.S. mail to all parties concerned who have a legitimate educational interest.

1. The Dean of Students or his/her designee will correct or amend the educational record in accordance with the decision of the hearing if the decision is in favor of the student and inform the student of the amendment in writing.
2. If Central Alabama Community College decides not to amend the record in accordance with the student's request, the Dean of Students will inform the student of the following:
 - a. The student has the opportunity to place with the educational 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.
 - b. 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 Central Alabama Community College.
 - c. This record, when disclosed to an authorized party, must include the statement filed by the student. The College reserves the right to amend the educational record if an error was made by the College. Any exceptions must be approved by the President.

Disclosure of Educational Record Information

Central Alabama Community College shall obtain written consent from students before disclosing any personally identifiable information from their education records other than “Directory Information.” Such written consent must: (a) specify the records to be released, (b) state the purpose of the disclosure, (c) identify the party or class of parties to whom disclosure may be made, and (d) be signed and dated by the student.

FERPA states that certain information from student records may be classified as “directory information.” The following information has been declared by Central Alabama Community College as directory information: name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, honors, photographs made at college events on or off campus, weight and height of athletic team members, dates of attendance, degrees and awards received, and the most recent school attended by the student. The information will be released to inquiring individuals or agencies unless students sign a Do Not Release Directory Information form by accessing the Student Disclosure – FERPA Authorization & Directory Information Form online under the Student tab on the College website. This same form is used to allow the release of information to a third party as designated by the student. This order will remain in effect until the student completes another form or delivers a written revocation to the Office of Enrollment Services at the College. Photos may be used for publicity and recruitment purposes. Directory information may be denied when it is deemed by the Dean of Students or Registrar and Director of Student Services that it is not in the best interest of the student or the College.

According to FERPA guidelines, Central Alabama Community College may release students’ educational records to the following without prior written consent from the student:

- I.** School officials within the College who have been determined by the College to have a legitimate educational interest in the records. School officials include counselors and instructors who are involved in counseling students, administrators who assist in counseling and who advise students with other problems, professional staff and clerical staff who directly relate to the administrative task of the College, and college attorneys. A school official has a legitimate educational interest if the official is performing a task that is specified in his/her job description or by a contract agreement, performing a task related to a student’s education, or performing a task related to the discipline of a student. When doubt is raised by the Dean of Students or Registrar and Director of Student Services about an individual’s “need to know” or legitimate educational interest in having access to specific information, the issue shall be decided by the President of Central Alabama Community College.
- II.** Certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs.
- III.** In connection with a student’s request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of that aid.

- IV. State and local officials to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.
 - V. Organizations conducting certain studies for or on behalf of Central Alabama Community College.
 - VI. Accrediting organizations to carry out their accrediting functions.
 - VII. Parents of eligible students who claim the students as dependent for income tax purposes. Determining the dependency, as defined by Section 152 of the Internal Revenue Code, requires a copy of the parents' most recent federal income tax form.
 - VIII. Appropriate parties in a health or safety emergency, subject to a determination by the President or deans.
 - IX. Personnel complying with a judicial order or lawfully issued subpoena, provided that the Office of Student Services makes a reasonable attempt to notify students in advance of compliance.
- NOTE: Central Alabama Community College is not required to notify students if a federal grand jury subpoena, or any other subpoena issued for a law enforcement purpose, orders the College not to disclose the existence or contents of the subpoena.*
- X. An alleged victim of any crime of violence (as that term is defined in 18 U.S.C. 16) of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

A complete view of FERPA guidelines is available online at <https://studentprivacy.ed.gov/ferpa>.

Annual Notification of FERPA Rights

Central Alabama Community College will give annual notice to current students of their rights under the Act by publishing information in the College Catalog and Student Handbook.

Students' Rights After Ceasing Attendance or After Graduation

Students who have ceased attendance or have graduated from Central Alabama Community College have basically the same FERPA rights as students currently attending, including the right to (1) inspect their educational records, (2) request to amend an educational record, and (3) have their educational record privacy protected by Central Alabama Community College. Former students do not have the right to request of Central Alabama Community College non-disclosure unless they asked, at their last opportunity as students, that no directory information be disclosed.

Privacy Rights of Deceased Students

For twenty-five years following the death of a student, the release of educational record information will not be made unless authorized by the student's parents or the executor/executrix of the deceased student's estate.

Violations of FERPA

A complete copy of the Family Education Rights and Privacy Act of 1974, 20 U.S.C. 1232 g., is available upon request for review in the Office of Student Services on the Alexander City campus, Childersburg campus, the Prattville Campus, and the Talladega Center. Any complaints or violations of FERPA may be reported to The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920. The online complaint form is available at <http://familypolicy.ed.gov/complaint-form>.

To review and obtain a paper copy of the Family Education Rights and Privacy Act (FERPA), FERPA, please contact the Registrar's Office at (256) 480-2090.

Computer Access to Records

Central Alabama Community College has established policies for initially instructing and periodically reminding school officials of FERPA confidentiality requirements before it gives them access to the computer system. These school officials are informed of the criteria Central Alabama uses to determine legitimate educational interest and of their responsibility for assuring that access is not abused.

In addition, Central Alabama Community College will inform parties to whom personally identifiable information is released in any manner that they are not permitted to disclose the information to others without the written consent of the students.

Central Alabama Community College will maintain a record of all requests for and/or disclosure of information from a student's educational records. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

TYPES, LOCATIONS, CUSTODIANS OF EDUCATIONAL RECORDS

TYPE	LOCATION	CUSTODIAN
Admissions Records	Office of Enrollment Services, Administration Building, Alexander City	Director of Enrollment Services
Cumulative Academic Records	Registrar and Director of Student Services Office, Alexander City	Registrar and Director of Student Services
<i>Alexander City State Junior College records before 1975 are located at Alexander City; Nunnelley State Technical College records before 1989 are located at Childersburg; Coosa Valley School of Nursing records after 2022 are located at Childersburg; all other records are accessible on the Alexander City campus.</i>		
Financial Aid Records	Office of Financial Aid, Administration Building, Alexander City	Director of Financial Aid
Student Account Records	Business Office, Betty Carol Graham Technology Center, Alexander City	Dean of Financial Services
Athletic Eligibility	The W. Byron Causey Health, Education, and Arts Complex, Alexander City	Athletic Director
Disciplinary	Office of the Dean of Students, Administration Building, Alexander City	Dean of Students
Legacy Nursing Records	Office of Student Services Vault, Administration Building, Alexander City	Registrar and Director of Student Services
Nursing Admission	Health Science Department, Jim Preuitt Nursing and Allied Health Building (Building J), Childersburg	Director of Health Programs
ADA Records	Office of ADA Coordinator or Points of Contact, Administration Buildings	Alexander City Campus, Childersburg Campus, Prattville Campus, and Talladega Center