

<b>OGDEN-WEBER TECHNICAL COLLEGE</b>	Number  530.1	Effective Date 1/26/17 Revised 4/7/17 9/12/19	Page  1 of 2
<b>POLICY</b>	Approval		
Title  <b>STUDENT RECORDS</b>			

**1. PURPOSE AND SCOPE**

The purpose of the policy is to establish guidelines for legal release, security, retention, storage, and disposal of student information.

**2. POLICY**

It is the policy of the College to:

- 2.1** protect the rights of each student by releasing student information only to authorized personnel and agencies;
- 2.2** provide procedures for access to student coursework, testing, and records to protect their confidentiality, limiting access to authorized personnel only; and
- 2.3** manage records and create retention schedules which are in accordance with the Utah State Archive.

**3. DEFINITIONS**

- 3.1 College Official:** A person employed by the College in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Directors; or a student serving on an official committee, such as a disciplinary or grievance committee or assisting school officials in performing their tasks.
- 3.2 Education Records:** The College follows the definition provided in FERPA for Education Records. Records directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. The College also adheres to the six exceptions listed. (99.3 Education Records, 20 U.S.C. 1232g(a)(4)).
- 3.3 Parent:** Includes a parent, guardian, or individual acting as a parent of a student in the absence of a parent or guardian. An educational agency or institution may presume the parent has the authority to exercise the rights inherent in FERPA unless the agency or institution has been provided with evidence that there is a state law or court order governing such matters as divorce, separation, or custody, or a legally binding instrument which provides the contrary.

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**3.4 Release:** To make available in any form.

**3.5 Student:** Anyone with a College transcript or College student directory information. Rights under FERPA begin at the time the individual meets the requirements to be considered a student.

**3.6 Student Directory Information:** Student directory information is comprised of the following items: name, address, phone number, email address, photograph, program in which enrolled, enrollment status, e.g., full- or part-time, certificates and dates received, expected completion date, honors, and dates of attendance.

#### **4. REFERENCES**

- Government Records Access and Management (GRAMA), Title 63G
- Family Education Rights and Privacy Act of 1974 (FERPA)
- 1996 Solomon Amendment
- Internal Revenue Code of 1954, Section 152
- Utah Department of Administrative Services, Division of Archives & Records Service, Utah State Agency General Retention Schedule
- Ogden-Weber Technical College Student Grievances and Sanction Appeals policy (#520.8)
- Ogden-Weber Technical College Information Technology Acceptable Use policy (#540.19)

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## **1. Release of Student Information**

### **1.1 General Guidelines**

**1.1.1** The College shall not disclose personally identifiable information (PII) from a student's educational records without the student's written consent, except to the extent that FERPA authorizes disclosure without consent. FERPA allows schools to disclose certain PII without the consent of students to a limited number of parties. Some of these include:

**1.1.1.1** School Officials. The College can disclose PII to school officials with legitimate educational interests. 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.

**1.1.1.2** Officials from Other Schools. Upon request, the school also discloses education records to officials of other postsecondary institutions to which a student seeks or intends to enroll or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer.

**1.1.1.3** To those who require the information in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.

**1.1.2** There may be conditions such as financial obligations, violations of non-academic regulations, etc., under which the College shall withhold transcripts, certificates, or other information about a student. This shall be noted in the student information system.

### **1.2 Release of Student Information to Student**

The College honors the rights of students as stated in FERPA with respect to education records. This includes the right to request, inspect, amend, authorize disclosure, and file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with requirements of FERPA.

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**1.2.1** Each student has the right to inspect and review the student's education records within 45 days of making a request to the appropriate office at the College. A student should submit a written request to the registrar that identifies the record(s) the student wishes to inspect. Once notified, the registrar shall make arrangements for access and notify the student of the time and place where the records may be inspected.

**1.2.2** Each student has the right to request an amendment to the student's education records for information the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under the College's confidentiality policy or FERPA. A student who wishes to ask the College to amend a record should write the school official responsible for the record, 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 shall notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures shall be provided to the student when notified of the right to a hearing.

### **1.3 Release of Student Information to a Parent**

**1.3.1** When a student turns 18 years old or enters a postsecondary institution at any age, the rights under FERPA transfer from the student's parents to the student.

**1.3.2** Under FERPA, students to whom the rights have transferred are known as "eligible students," and their information may not be disclosed to a parent except in the conditions listed in FERPA including where the student is a dependent for IRS tax purposes or regarding the student's violation of any federal, state, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.

### **1.4 Release of Student Information to Other Individuals and Organizations**

**1.4.1** The College **may** release information designated as directory information without a "Consent to Release Information" form. Students have the right to place restrictions on their directory information. Students may place a restriction on their record at any time by submitting a "Request to Prevent

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Disclosure of Directory Information” to the registrar, Student Records, or designee.

- 1.4.2** Information may be released pursuant to a signed and dated “Consent to Release Information” form specifying records to be released and to whom. The student may submit the “Consent to Release Information” to the registrar or designee to authorize the release of student information.

## **2. Release of Records for a Deceased Student**

- 2.1** The College may release education records to a spouse, parent, or child. The registrar may consider other requests on a case-by-case basis.
- 2.2** The requestor shall provide documented proof of the student’s death, their familial relationship to the deceased, and a valid photo identification.

## **3. Security, Storage, Retention, and Disposal of Student Records**

### **3.1 Security**

- 3.1.1** The registrar or designee is responsible for maintaining official student files and records.
- 3.1.2** All records storage methods are provisioned with controlled access and password protection security.

### **3.2 Storage**

- 3.2.1** All official student records shall be transferred to and then stored in electronic format, centrally located on the main campus, and backed up regularly. The electronic version is considered the record copy for the College.
- 3.2.2** Student academic/enrollment records shall be stored in the College’s electronic storage system and the student information system. All educational records at the College (whether original or reprinted from the electronic systems) have the same legal effect as the original record.

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### **3.3 Retention**

**3.3.1** Student records shall be retained electronically in perpetuity in the official College student information system and the scanning and retrieval system. Legacy systems shall be maintained as necessary to retrieve and/or update records.

**3.3.2** In the event that the College is closed or transferred to a new organizational structure (either at the state or local level), student records shall be maintained in perpetuity and made available for student retrieval.

### **4. Disposal**

When retention requirements have been met, the College shall dispose of obsolete student records by properly destroying them. Records may be burned or shredded. Only the waste product from shredded material may be recycled.