

CITRUS COMMUNITY COLLEGE DISTRICT STUDENT SERVICES

AP 5040 STUDENT RECORDS, DIRECTORY INFORMATION, AND PRIVACY

References: Education Code Sections 76200 et seq. and 76210; Title 5 Sections 54600 et seq.; Civil Code Section 1798.85; U.S Patriot Act

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

1. **Definitions**

- a. **Student** - "Student" shall be defined as any person who is currently attending or has attended Citrus College with respect to whom Citrus College maintains educational records or personally identifiable information.

- b. **Educational Records** - "Educational Records" shall be defined as all documents (recorded by handwriting, print, tapes, film, microfilm or other means) maintained by the College which are directly related to an identifiable student except: (1) Information provided by a student's parents relative to applications for financial aid or scholarships. (2) Records of a College officer or employee which remain in the sole possession of the maker and which are not accessible or revealed to any other person except a substitute. For purposes of this section, a substitute shall mean a person who performs on a temporary basis the duties of the individual who made the notes and does not refer to a person who permanently succeeds the maker of the notes.

Information related to a student created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional or paraprofessional capacity, or assisting in that capacity, and which are created, maintained, or used only in connection with the provision of treatment to the student and is not available to anyone other than persons providing such treatment; provided, however, that such a record may be personally reviewed by a physician or other appropriate profession of the student's choice.

Confidential letters and statements of recommendations maintained by the College on or before January 1, 1975, provided such letters or statements are not used for purposes other than those for which they were specifically intended.

The following Citrus College files, records, and documents shall be designated as "Educational Records" and are maintained at the Admissions and Records Office:

- (1) Application for Admission
- (2) Registration Forms
- (3) Instructor Attendance and Grade Records
- (4) Student Permanent Record Card
- (5) High School Transcripts
- (6) College Transcripts
- (7) Student Program Cards
- (8) Records Correction Form
- (9) Graduation Applications
- (10) General Education Certifications
- (11) Petitions for Change or Exception
- (12) Correspondence
- (13) Certification records of students receiving financial assistance from Social Security, Department of Public Services, and the Veterans Administration.

Additional information which may be personally identifiable may be located at one of the following offices:

- (1) Counseling Center
- (2) Student Employment Services
- (3) Health Center
- (4) Learning Center
- (5) Financial Aid Office
- (6) Security Office
- (7) Student Affairs
- (8) Community Services
- (9) Vocational Education
- (10) EOP&S Office
- (11) International Student Office
- (12) DSP&S Office
- (13) Transfer Center
- (14) Career Center
- (15) Human Resources

- c. Directory Information** - "Directory Information" shall be defined as: student's name, address, telephone number, date and place of birth, major field of study, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received,

and most recent previous public or private school attended by a student.

Release of Student Records

“Directory information” may be released in accordance with the definitions in BP 5040 titled Student Records, Directory Information, and Privacy.

No instructor, official, employee, or member of the Board of Trustees 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. Access to a Student's educational record may be permitted to any person for whom the student has executed a written consent specifying the records to be released and identifying the party to whom the records may be released. The consent notice shall be permanently kept with the record of access file.

Where personal information from the educational record is provided to a third party, the following statement shall accompany the records released:

"This information is released to you in accordance with the Family Educational Rights and Privacy Act (Section 438, P.L. 93-380 and the California Education Code (Sections 25430 - 25430.18) on the condition that you will not permit any other party to have access to this information without prior written consent of the individual involved."

- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. The subpoena server would first pay the subpoena fee at the cashier's office and would submit the subpoena along with the receipt of payment to Admissions and Records Office. Each student whose record is requested under a subpoena is notified by certified mail in advance of compliance and will be offered an opportunity to introduce a motion to quash. The Admissions and Records would complete the subpoena request within five business days and would send the documents through certified mail.
- 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. Requests must be submitted in writing to the Dean of Admissions and Records.
- 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. Requests must be submitted in writing to the Dean of Admissions and Records.

- 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. Requests must be submitted in writing to the Dean of Admissions and Records.
- 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. Requests must be submitted in writing to the Dean of Admissions and Records
- 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. Requests must be submitted in writing to the Dean of Admissions and Records
- 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. Requests must be submitted in writing to the Dean of Admissions and Records.
- 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, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.

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, at the current published rate per copy stated in the current class schedule. Students may request special processing of a transcript.

Transfer of Information by Third Parties

When personally identifiable information contained in the educational record is transferred to a third party, it shall be stipulated that the third party shall not permit access by any other party without written consent of the student.

Notice of Students Rights

Students shall be informed upon initial enrollment and annually thereafter of their rights under this policy by publication of the following statement in the Citrus College Catalog:

Educational rights and privacy

Citrus College student records are maintained in accordance with the Family Educational Rights and Privacy Act and the California Education Code. Written student consent is required for access and the release of information defined as educational records in the federal and state laws as described in Citrus College policy.

A student's directory information (defined in the policy as: student's name, address, telephone number, date and place of birth, major field of study, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent previous public or private school attended), may under certain circumstances or as required by law be released to any person upon request unless the Admissions Office receives written notification, that a student reserves the right to authorize in writing on an individual request basis the access and release of the directory information. Such a notice of restriction shall remain in effect until it is countermanded in writing.

Additionally, the laws provide that a student may request access to the College records which are personally identifiable to that student, and may challenge the accuracy or the appropriateness of retention of information in the College record.

Questions concerning student rights under the privacy acts should be directed to the Admissions and Records Office.

Destruction of Records

It is not intended that this policy should prevent the destruction of records per established College policy.

Use of Social Security Numbers

Effective January 1, 2007, 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 or her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his or 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.

Board Approved 07/21/09