

Policy Change	<input checked="" type="checkbox"/>	Subject Matter Area Review	<input checked="" type="checkbox"/>
Procedure Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
New Policy	<input type="checkbox"/>	District Council	<input type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 1 st Reading	<input type="checkbox"/>
		Board 2 nd Reading	<input type="checkbox"/>

KEY:
BOLD= new language
~~strickethrough=~~ delete language

Comments:
CCLC Spring 2015 Update

Referred to:

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 12/16/15



Policy

5040 Student Records, Directory Information, and Privacy

The Chancellor shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

The Chancellor may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the District.

No District representative shall release the contents of a student record to any **member of the public** ~~third party~~ without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean’s/President’s List recognition.
- Start/end date of enrollment
- Part time/Full time enrollment (Current and past semesters)
- Major (Academic program)
- Units/credits completed (Current and past semesters)
- Awards received, including type of degree or certificate awarded/date awarded

References:

1 Education Code Sections [76200, et seq.](#); Title 5, Sections [54600, et seq.](#); [20 U.S. Code Section 1232g\(j\)](#);
2 [ACCJC Accreditation Standard II.C.8](#)
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4 **Adopted:** June 28, 2004

5 **Revision Adopted:** ~~February 11, 2009~~, May 9, 2012

6 **Last Reviewed:**
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Administrative Procedure

5040 Student Records, Directory Information, and Privacy

- I. A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student by the Admissions and Records Office of each College.
- II. Release of Student Records. The institution or designated school official shall authorize access to student records to any person only under the following circumstances:
 - A. Student records shall be released pursuant to a student's written consent.
 - B. Directory information may be released (without the student's written consent) in accordance with the definitions in Board Policy 5040.
 - 1. Currently enrolled students may request that even directory information be kept confidential by filing a "Notice to Deny Disclosure of Personal Information" in the Admissions and Records Office.
 - C. Student records shall be released pursuant to a judicial order or a lawfully issued subpoena.
 - 1. Upon receipt of a judicial order or lawfully issued subpoena, the Admissions and Records Office notifies the student of the request.
 - D. 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.
 - E. Student records may be released to officials and employees of the District by the appropriate administrator only when they have a legitimate educational interest to inspect the record.
 - 1. In addition to the directory information provided in policy, both college Foundations shall have access to the following student information:
 - a) Name
 - b) Last known address
 - c) Last known phone number
 - d) Year degree was conferred
 - e) Date of birth
 - F. 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

1 identifiable data shall be destroyed when no longer needed for that audit, evaluation, and
2 enforcement of federal legal requirements.

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- 4 G. Student records may be released to officials of other public or private schools or school systems,
5 including local, county or state correctional facilities where education programs are provided,
6 where the student seeks or intends to enroll or is directed to enroll. The release is subject to
7 the conditions in Education Code **Section** 76225.
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- 9 H. Student records may be released to agencies or organizations in connection with a student's
10 application for, or receipt of, financial aid, provided that information permitting the personal
11 identification of those students may be disclosed only as may be necessary for those purposes
12 as to financial aid, to determine the amount of the financial aid, or conditions that will be
13 imposed regarding financial aid, or to enforce the terms or conditions of financial aid.
- 14
- 15 I. Student records may be released to organizations conducting studies for, or on behalf of,
16 accrediting organizations, educational agencies or institutions for the purpose of developing,
17 validating, or administering predictive tests, administering financial aid programs, and
18 improving instruction, if those studies are conducted in such a manner as will not permit the
19 personal identification of students or their parents by persons other than representatives of
20 those organizations and the information will be destroyed when no longer needed for the
21 purpose for which it is conducted.
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- 23 J. Student records may be released to appropriate persons in connection with an emergency if the
24 knowledge of that information is necessary to protect the health or safety of a student or other
25 persons, subject to applicable federal or state law.
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- 27 K. The following information shall be released to the federal military for the purposes of federal
28 military recruitment: student names, addresses, telephone listings, dates and places of birth,
29 levels of education, **major(s)**, degrees received, prior military experience, and/or the most
30 recent previous educational institutions enrolled in by the students.

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32 III. Charge for Transcripts or Verifications of Student Records: A student/former student shall be
33 entitled to two free copies of the transcript of his/her record or to two free verifications of various
34 student records. Additional copies shall be made available to the student, or to an addressee
35 designated by him/her, at the Board approved rate per copy. Students may request special
36 processing of a transcript for an additional fee.

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38 **IV. Electronic Transcripts: The District may elect to implement a process for the receipt and
39 transmission of electronic student transcripts contingent upon receipt of sufficient funding.**

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41 V. ~~IV.~~ Use of Social Security Numbers

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43 A. Effective January 1, 2007, the District shall not do any of the following:

- 44
- 45 1. Publicly post or publicly display an individual's social security number.
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- 47 2. Print an individual's social security number on a card required to access products or
48 services.
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- 1 3. Require an individual to transmit his or her social security number over the internet using a
2 connection that is not secured or encrypted.
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- 4 4. Require an individual to use his or her social security number to access an Internet Web site
5 without also requiring a password or unique personal identification number or other
6 authentication devise.
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- 8 5. Print, in whole or in part, an individual's social security number that is visible on any
9 materials that are mailed to the individual, except those materials used:
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11 a) For application or enrollment purposes.
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13 b) To establish, amend, or terminate an account, contract, or policy.
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15 c) To confirm the accuracy of the social security number.
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- 17 B. If the District has, prior to January 1, 2004, used an individual's social security number in a
18 manner inconsistent with the above restrictions, it may continue using that individual's social
19 security number in that same manner only if:
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21 1. The use of the social security number is continuous.
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23 2. The individual is provided an annual disclosure that informs the individual that he or she has
24 the right to stop the use of his or her social security number in a manner otherwise
25 prohibited.
26
27 3. The District agrees to stop the use of an individual's social security number in a manner
28 otherwise prohibited upon a written request by that individual.
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30 4. No fee shall be charged for implementing this request; and the District shall not deny
31 services to an individual for making such a request.
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33 **References:**

34 Education Code Sections [71091](#) and [76200 et seq.](#); Title 5 [Sections 54600 et seq.](#); [20 U.S. Code Section](#)
35 [1232 g\(j\) \(U.S. Patriot Act\)](#) ~~US Patriot Act~~; Civil Code Section [1798.85](#); [ACCJC Accreditation Standard](#)
36 [II.C.8](#)

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38 **Procedure Last Revised:** April 11, 2007, May 9, 2012

39 **Last Reviewed:**