

**POLICY REGARDING THE CONFIDENTIALITY OF STUDENT RECORDS**

Source: Registrar's Office (August, 1996)

The College maintains various records concerning students to document their academic progress as well as to record their interactions with College staff and officials. To preserve the student's right to privacy and to conform with provisions of FERPA, the "Family Education Rights and Privacy Act of 1974 (as Amended)", the College established certain policies to govern the handling of and review of student records.

**Definitions.** For purposes of this policy a "student" is any person who attends or has attended Catawba College. An "**Educational record**" is any record (in handwriting, print, tapes, film or other medium) which is directly related to a student and is maintained by Catawba College or an agent of the College, except

1. a personal record kept by a staff member if it is kept in the sole possession of the maker of the record and not accessible or revealed to any other person (except a temporary substitute for the maker of the record);
2. An employment record of any individual whose employment is not contingent on the fact that he/she is a student, provided the record is used only in relation to the individual's employment;
3. Records maintained by Security, if the record is maintained solely for law enforcement agencies of the same jurisdiction and Security does not have access to education records maintained by the College;
4. Records maintained by Health Services, if the records are used only for the treatment of a student and made available only to those persons providing the treatment;
5. Alumni records which contain information about a student after she/he is no longer in attendance at the College and which do not relate to the person as a student.

**Annual Notification.** Students will be notified of their FERPA rights annually by publication in the student handbook.

**Procedure to Inspect Education Records.** Students may inspect and review their education records upon request to the appropriate record custodian. Students should submit to the "Record custodian" (or appropriate College staff person) a written request which identifies as precisely as possible the record or records he/she wishes to inspect. Forms for these requests are available in the Registrar's Office. The "record custodians" are on the next page.

The record custodian (or appropriate College staff person) will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records that relate to her/him.

Type of Record	Record Custodian	Location of Record
Admission Record	Registrar	Registrar's Office
Athletic Record	Athletic Director	Athletic Office
Academic Record:		
Cumulative	Registrar	Registrar's Office
Majors	Department Chairs	Respective Offices
Disciplinary Records	Dean of Students	Student Development Office
Health Records	College Nurse	Student Health Center
Financial Records	Controller	Business Office

Placement Records	Financial Aid Director Director of Career Planning/Placement	Financial Aid Office Career Planning and Planning Placement
Security Records	Chief of Security	Security Office
Teacher Certification	Chair of Teacher Education Dept.	Teacher Education Office

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**Right of The College to Refuse Access.** Catawba College reserves the right to refuse to permit a student to inspect the following records:

- \* The financial statement of the student's parents;
- \* Letters and statements of recommendation for which the student has waived his/her right of access, or which were placed in the file before January 1, 1975;
- \* Records connected with an application to attend Catawba College if that application was denied; and
- \* Those records which are excluded from the FERPA definition of education records.

**Right of the College to Refuse to Provide Copies.** Catawba College reserves the right to deny transcripts, diplomas or copies of records not required to be made available by the FERPA in any of the following situations:

- \* The student has an unpaid financial obligation to the College;
- \* There is an unresolved disciplinary action against the student.

**Disclosure of Education Records.** Catawba College will disclose information from a student's record only with the written consent of the student, except

1. to school officials who have legitimate educational interest in the records.
  - \* A school official is
    - a person employed by the College in an administrative, supervisory, academic, or research, or support staff position;
    - a person elected to the Board of Trustees;
    - a person employed or under contract to the College to perform a special task, e.g., an attorney, auditor.
  - \* 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 contractual agreement;
    - performing a task related to a student's education;
    - performing a task related to the discipline of a student.
2. to certain officials of the US Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state- or federally-supported education programs.
3. to organizations conducting certain studies for or on behalf of the College.
4. to accrediting organizations to carry out their functions.
5. to parents of an eligible student who claim the student as a dependent for income tax purposes.
6. to comply with a judicial order or a lawfully-issued subpoena.
7. to appropriate parties in a health or safety emergency.
8. to an alleged victim of violence (of the results of any institutional disciplinary proceeding against the alleged perpetrator of the crime with respect to that crime).

**Record of Requests for Disclosure.** Catawba College will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be

reviewed by the parents or eligible student.

**Directory Information.** Catawba College has designated certain student-related items as "Directory Information" (see the Registrar's Office for a current list) and may disclose any of these items without prior written consent, unless notified in writing to the contrary on or before the last day to add a class each semester. Forms to prevent disclosure of information are available in the Registrar's Office.

**Procedure for the Correction of Education Records.** Students have the right to ask to have records corrected that they believe are inaccurate, misleading or in violation of their privacy rights. The following procedures will be followed for correcting records.

1. A student must ask the appropriate official of Catawba College to amend a record. In so doing, the student should identify the part of the record she/he wants changed and specify why he/she believes it is inaccurate, misleading or in violation of her/his privacy or other rights.
2. Catawba College may comply with the request or it may decide not to comply. Regarding the latter, the College will notify the student of the decision and advise him/her of her/his right to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Catawba College will arrange for a hearing and notify the student, reasonably in advance, of the date, place, and time of the hearing.
4. The hearing will be conducted by a "hearing officer" who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education record. The student may be assisted by one or more individuals, including an attorney.
5. Catawba College will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If Catawba College decides that the challenged information is not accurate, misleading or in violation of the students right of privacy, it will notify the student that he/she has a right to place in the record a statement setting forth reasons for disagreeing with the decision.
7. The statement will be maintained as part of the student's education records for as long as the contested portion is maintained. If Catawba College discloses the contested portion of the record, it must also disclose the statement.
8. If Catawba College decides that the information is inaccurate, misleading or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.