

**SOUTHWEST TENNESSEE COMMUNITY COLLEGE****SUBJECT:** Confidentiality of Student Records**EFFECTIVE DATE:** July 1, 2000; Revised April 28, 2023**Purpose**

The purpose of this policy is to establish a process to protect the confidentiality of the records of students of Southwest Tennessee Community College (“Southwest” or “the College”), to note instances when their records will be disclosed, and to identify records that are not deemed confidential.

**Introduction**

Credit and non-credit student records include the following:

## Credit:

- Student name
- Identification number
- Courses enrolled each term
- Cumulative grade point average (gpa)
- Term GPA
- Hours attempted
- Hours earned
- Grades
- Quality point earned
- Degrees and certificates earned
- Academic program(s)
- Honors
- Academic status
- Transfer credits awarded

## Non-credit:

- Student name
- ID number
- Courses enrolled in each term
- Course title
- Course number
- Continuing education units
- Grades

**Policy**

\* Spring of 2023 Student’s Permanent Academic Records policy 3:00:00:00/3 was merged with the Confidentiality of Student Records policy 3:02:03:00/13. Policy number 3:02:03:00/13 was retained. The only information that was contained in previous policy 3:00:00:00/3 is now in the introduction section of this policy.

## I. Confidentiality of Student Records

- A. It is the College's policy to comply with the Family Educational Rights and Privacy Act (FERPA) also referenced as the Buckley Amendment. In so doing, the College intends to protect the confidentiality of personally identifiable education records of its students and former students.
- B. Every employee of the College is individually responsible for complying with FERPA. A violation of FERPA could subject an employee to disciplinary actions. Except for employees of authorized administrative units that are responsible for disclosing student records, no employee may disclose a student's personally identifiable information. Employees of units authorized to disclose student records may do so only within the course and scope of the authority granted to them by the College.
- C. Reference to this policy and Tennessee Board of Regents (TBR) [3.02.03.00](#), Confidentiality of Student Records, shall be included in:
  - 1. Student, faculty, and staff handbooks; and
  - 2. Orientation sessions for new employees who work with or have access to student records.
- D. Students shall be informed annually of their rights under this policy.
- E. For purposes of this policy, applicants for admission who have never attended Southwest are not considered students.

## II. Exceptions to Confidentiality of Student Records

- A. FERPA is not applicable to:
  - 1. Records of the Southwest Police Services/ Public Safety Department that are maintained separate from other student records, used solely for the purpose of law enforcement, and are not disclosed to any other law enforcement officials in the same jurisdiction; or
  - 2. Records related to medical or psychiatric treatment of students age 18 or older if used in connection with treatment and disclosed only to the individuals providing treatment.
- B. Southwest reserves the right to disclose directory information. Directory information may be released without students' consent. A student who does not want the following directory information disclosed must complete a Suppression of Directory Information Request form (Attachment "A") and submit it to the Admissions and Records Office prior to the beginning of the academic term. The following is considered directory information:

- Name
  - Address
  - Telephone number
  - Date and place of birth
  - Major field of study
  - Participation in officially recognized activities and sports
  - Weight and height of athletic team members
  - Sports statistics
  - Date of College attendance
  - Degree, certificate, and awards received
  - Other institutions previously attended
- C. The College will disclose information to the military as required by the Solomon Amendments.
- D. When a student signs a consent form authorizing the release of records, the records may be released as noted in the consent form.
- E. Student records may be disclosed in the following situations without the consent of the student:
1. Emergency Situations- Should a threat to the safety or health of someone exist and it becomes necessary to disclose information without consent, needed information will be disclosed to the individuals who can render assistance.
  2. College Officials and General Counsel- Student records will be made available to Southwest officials and to General Counsel on a genuine need to know basis. In this instance, College Officials includes individuals authorized to receive the information in the course and scope of their employment by or on behalf of the College including, but not limited to, authorized employees, auditors, and TBR representatives. The genuine need to know shall be based on a legitimate interest that stems from the fulfillment of assigned responsibilities. Information will be limited to only that needed to fulfill those responsibilities.
  3. Pursuant to a Subpoena- Upon receipt of a lawfully issued subpoena or judicial order, Southwest shall examine the subpoena or order to verify that it has been executed by an officer of the court or other authorized official. TBR's Office of the General Counsel may be consulted for assistance with verification. Prior to releasing a student's records, the College will make a reasonable attempt to notify the student of its intent to comply. Oral notification will be followed by written confirmation that shall be maintained along with a copy of the subpoena and record of the disclosure.
  4. Parents of Dependent Students- The College reserves the right to disclose student records to parents of dependent students as defined in Section 152 of the Internal Revenue Code.

5. Officials of Other Schools/School Systems- Southwest reserves the right to disclose student records to officials of other schools or school systems in which the student is enrolled or seeks to enroll. Copies of the records transferred will be provided to a student upon request. Additionally, all rights of the student to have the record amended will be sustained.
  6. Other- Additional disclosures made without a student's written consent are narrow in scope according to the Act and will likely be made only after consulting TBR's General Counsel.
- F. A record of requests for disclosures and disclosures made will be retained with the record and may be inspected by the student, officials responsible for the records, and by auditors.
- G. Southwest will comply with students' requests to inspect or review their own personal educational records. The College will also comply with students' requests for copies of their own personal records. The requests will be honored in a timely manner not to exceed 45 days from the request date. Exceptions to student access rights include:
1. Records that contain information regarding more than one (1) student.
  2. Financial records or statements of the student's parents and any information contained therein.
  3. Confidential recommendations solicited with written assurance of confidentiality and used only for the purposes intended, which were placed in the file prior to January 1, 1975.
  4. Confidential recommendation placed in the file after January 1, 1975, when:
    - a. The student signed a written consent waiving rights to review or inspect the recommendation;
    - b. The recommendation is concerning admission to an educational institution, an application for employment, or the receipt of an honor or honorary recognition; and
    - c. The recommendations received under the waiver are only used for the purposes designated on the waiver.

### III. Amendments to Records

- A. Students may request amendment of their records when they believe that the records are inaccurate, misleading, or in violation of their rights.
1. A request to amend must be submitted to the department responsible for the record and, the request must be on a Record Amendment Request form (Attachment "B") with supporting documentation attached, if any exist.

- 2. The Record Amendment Request form is limited to the issues of whether a record is inaccurate or misleading in recording the underlying action taken by the College or whether the placement of the information in the student's record is in violation of the student's rights.
- 3. The form must be signed and dated by the student.
- 4. The student will receive a signed copy of the form indicating approval or denial of the request within 45 days of the request date.
- 5. In cases of denial, the student may submit an appeal to the Associate Vice President of Enrollment Services. The next level of appeal is to the Vice President of Student Affairs, whose determination shall be final.

B. For denial that proceed through the appellate process:

- 1. The student may place a statement in the file commenting on the information believed to be inaccurate or misleading and setting forth the reasons for disagreement with the denial.
- 2. The College will maintain the student's statement with the student's record and will send it out to everyone who receives a copy of the record.

FERPA violations shall be reported to the Vice President of Student Affairs. If the perceived violator is the Vice President of Student Affairs, the report shall be made to the Vice President for Academic Affairs. Complaints alleging FERPA violations may also be filed with the United States Department of Education, Office of the Secretary.

**Responsible**

**Source of Policy:**     N/A    

**Administrator:**     VP of Student Affairs    

**TBR Policy Reference:**     3.02.03.00    

**Related Policy:**     1:12:00:00/4    

**TBR Guideline Reference:**     S-020    



\_\_\_\_\_

**President**

**Date:**     April 28, 2023

**(ATTACHMENT A TO SOUTHWEST POLICY 3:02:03:00/13)**

**SOUTHWEST TENNESSEE COMMUNITY COLLEGE**

**REQUEST FOR SUPPRESSION OF DIRECTORY INFORMATION**

**FULL NAME:** \_\_\_\_\_

**DATE:** \_\_\_\_\_ **STUDENT ID NO. :** \_\_\_\_\_

---

---

**Please do not release my information indicated below for the period of time noted:**

**Directory Information (place an "X" beside the information you do not want released):**

- \_\_\_ name
- \_\_\_ address
- \_\_\_ telephone number
- \_\_\_ major field of study
- \_\_\_ Dates of College Attendance
- \_\_\_ Participation in Officially Recognized Activities and Sports
- \_\_\_ Weight and Height of Athletic Team Members, Sports Statistics
- \_\_\_ Degrees, Certificates and/or Awards Received
- \_\_\_ Other Institutions Previously Attended

**Beginning Date** \_\_\_\_\_ **Beginning Term** \_\_\_\_\_

**I understand that information already submitted for printing cannot be suppressed. However, general inquiries will not be honored and future printing will not occur. I will notify personnel of the Admissions and Records Office in writing when this status is to change.**

**If this signed form is not received in the Admissions and Records Office prior to the beginning of a term, it will be assumed that the information noted above may be disclosed for the remainder of the academic year. A new form for non-disclosure must be completed each academic year.**

**(ATTACHMENT B TO SOUTHWEST POLICY 3:02:03:00/13)**

**SOUTHWEST TENNESSEE COMMUNITY COLLEGE**

**RECORD AMENDMENT REQUEST FORM**

**FULL NAME:** \_\_\_\_\_

**STUDENT ID NO:** \_\_\_\_\_

**SOCIAL SECURITY NUMBER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**I am requesting an amendment to my \_\_\_\_\_ record for the following reason:**

\_\_\_\_\_ **It is inaccurate**

\_\_\_\_\_ **It is misleading**

\_\_\_\_\_ **It is in violation of my rights**

**I request that the following amendment be made:**

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**