

**Coast Community College District
ADMINISTRATIVE PROCEDURE**

Chapter 5
Student Services

AP 5040 Student Records, Directory Information, and Student Privacy

References:

Education Code Sections 66093.3, 66271.4, and 76200 et seq.;
Title 5 Sections 54600 et seq. and 59410;
10 U.S. Code Section 503;
20 U.S. Code Section 1232 g(j) (U.S. Patriot Act);
Civil Code Sections 1788.90 et seq. and 1798.85;
ACCJC Accreditation Standard II.C.8

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

Release of Student Records: No instructor, official, or employee 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. Students should provide the written consent through Banner Self Service.
- "Directory information" may be released in accordance with the definitions in Board Policy 5040 and pursuant to law.
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena.
- 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.

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 and federal 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. In case of an audit, appropriate students' files shall be notated with the purpose of the audit and the date(s) the audit was performed.

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.

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. This may include external agencies such as foreign sponsoring governments or recognized educational branches that provide international students with loans and/or financial sponsorships.

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.

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.

The following information shall be released, upon request, to the federal military for the purposes of federal military recruitment: student names, addresses, including student's e-mail, telephone listings, dates, and places of birth, levels of education, major(s), degrees received, prior military experience, and the most recent previous educational institutions enrolled in by the students. Students can opt out of this information disclosure by indicating in Banner Self Service that they do not wish to have their Directory Information released.

Charge for Transcripts or Verifications of Student Records: A student/former student shall be entitled to two free copies of the transcript of their 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 the student, at the rate of \$5 per copy. Students may request special processing of a transcript. The District will not refuse to provide a transcript for a current or former student on the grounds that the student owes a debt; condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript; charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt; or use transcript issuance as a tool for debt collection.

Electronic Transcripts

The District may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.

Use of Social Security Numbers

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 their social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use their social security number to access an internet web site without also requiring a password or unique personal identification number or other authentication device; 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.

Name and Gender Changes to Former Student Records

If the District receives government-issued documentation, as described below, from a former student demonstrating that the former student's legal name or gender has been changed, the District shall update the former student's records to reflect the updated legal name or gender. If requested by the former student, the District shall reissue any documents conferred upon the former student with the former student's updated legal name or gender. Documents that shall be reissued by the District upon request include, but are not necessarily limited to, a transcript or a diploma conferred by the College.

The District shall not charge a higher fee for correcting, updating, or reissuing a document based on a legal name or gender change than the fee it charges for correcting, updating, or reissuing that document generally.

The documentation of a former student sufficient to demonstrate a legal name or gender change includes, but is not necessarily limited to, any of the following:

- State-issued driver's license or identification card;
- Birth certificate;
- Passport;
- Social security card;
- Court order indicating a name change or a gender change, or both.

The District is not required to modify records that the former student has not requested for modification or reissuance.

Release of Student Records in Case of Student Death

A student's FERPA (Family Educational Rights and Privacy Act) rights cease upon death. The student records of a deceased student may be disclosed, upon written request, to a spouse, parent, executor of an estate, surviving child, surviving sibling, surviving descendent or pursuant to a court order or subpoena. Additionally, to obtain this information, the person making the request must also submit a copy of a student's death certificate. Only the College Director of Admissions and Records or designee may release the student record of deceased students.

The psychological and/or medical records may be released upon signed written request to the surviving spouse, the parents, executor of the will, the surviving children, or after suit has been instituted, the defense counsel or the defense insurance company seeking any medical, hospital, or other records relating to the patient's medical treatment, history or condition, either personally or through an attorney. Only the Director of Health Services may release the psychological and/or medical records of a deceased student.

The person requesting the records must provide the following information, in addition to any additional consent forms (if applicable), in a signed written request:

- Student's name
- Copy of the death certificate
- Person requesting records' name, address, phone number, evidence that he or she is qualified to receive the records based on the criteria above
- Signature
- Date of request

Ratified October 18, 2016
Ratified November 16, 2022