

Providing Records To Third Parties

The general policy of Beville State Community College is to refuse access to or disclosure of information from student records to third parties without the written consent of the student. Should a student wish to have such records released, a signed and dated written request must be directed to the Dean of Students or designee, specifying the records to be released, the reason for release, the party or class of parties to whom records are to be released, and a request for copies to the student, if desired. Beville State may then transfer or grant access to the information. The transferred information shall contain a statement that the information may be used by the receiving party or, if an organization, by its officers, agents, and employees for the purpose requested, but that the party shall not transfer the information to any other party except with the written consent of the student. A charge not to exceed the actual cost of reproduction will be assessed against the student when copies are made.

Student records will be made available to the following under the conditions noted, without the written consent of the student:

- College officials, including administrators, division chairpersons, instructional staff, counselors, staff, and other members serving on various committees who have legitimate educational interests. Legitimate educational interest exists if the information requested is necessary to (a) perform appropriate tasks that are specified in job description or contract agreement; (b) perform a task related to a student's education; (c) perform a task related to the discipline of a student; or (d) provide a service or benefit relating to the student or student's family.
- Officials of other schools, colleges, or school systems in which the student seeks enrollment.
- To state and local officials to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.
- To parents of eligible students who claim the students as dependents for income tax purposes. Determining dependency, as defined by Section 152 of the Internal Revenue Code, requires a copy of the parents' most recent Federal Income Tax Form. In case of a divorce, separation, or custody when only one parent declares the student as dependent, the College will grant equal access to the student's educational records upon demonstration of dependency as described above.
- Certain representatives of federal departments or agencies or state educational authorities, as provided by law, for the purpose of compliance with audit evaluation requirements of federally-supported educational programs or enforcement of Federal legal requirements of such programs.
- Persons or organizations providing financial assistance to students or to determine eligibility for financial assistance ("financial assistance" does not include payments made by parents).
- Recognized educational accrediting organizations.
- Organizations conducting studies for administrative evaluation tests, etc., provided that studies are not conducted in a manner which will permit personal identification of students or their parents by other than representatives of the organization and that the information will be destroyed when no longer needed for the purposes collected.
- In response to judicial order, or pursuant to any lawfully issued subpoena.
- An institution is not required to obtain a subpoena to produce educational records of a student if the records produced are needed by the institution to proceed with legal action as plaintiff or to defend itself.
- Other appropriate persons, in an emergency to protect the health or safety of the student or other individuals attending the institution.
- As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which the students' education records and personally identifiable information (PII) contained in such records – including the students' Social Security Number, grades, or other private information – may be accessed without the students' consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (Federal and State authorities) may allow access to the students' records and PII without the students' consent to any third party designated by a Federal or State authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State authorities may allow access to the students' education records and PII without the students' consent to researchers performing certain types of studies, in certain cases even when the College objects to or does not request such research. Federal and State authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive the students' PII, but the

authorities need not maintain direct control over such entities. In addition, in connection with statewide longitudinal data systems, state authorities may collect, compile, permanently retain, and share without the students' consent PII from the students' education records, and they may track the students' participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Bevill State will maintain a record indicating the name and legitimate interest of all disclosures except those made at the student's request, those made pursuant to written consent, those designated as directory/public information, and those made pursuant to the exceptions noted above. This record of disclosure will become a part of the educational record, subject to inspection and review.