

SECTION 800.13

EDUCATIONAL RIGHTS/ACCESS TO RECORDS

1. Educational Rights – The disclosure of students’ educational records is governed by policies developed by LRSC in compliance with state law and the Family Educational Rights and Privacy Act (FERPA). For the purpose of this policy, a student is defined as an individual who has enrolled for classes at Lake Region State College.
2. LRSC maintains the following educational records which contain information directly related to students:
 - a. Application paperwork submitted by the students or sent to Lake Region State College at the student’s request.
 - b. Financial aid paperwork submitted by the student or sent to Lake Region State College at the student’s request.
 - c. Account payment information and receipt.
 - d. Records pertaining to academic or training achievement, including transcripts and grade reports.
 - e. Instructor recommendations.
 - f. Student conduct and disciplinary records.
3. Student records on file in appropriate LRSC offices are accessible only to persons having legitimate interests as defined in Public Law 98-380. The content of each record falls into one of two categories: public directory information and non-public information. Non-public student record information may not be released without written consent from the student or from a parent of a dependent student. As allowed by law, the college may release the public directory information listed below:
 - a. Student legal name (not to include preferred name)
 - b. Hometown (city, state)
 - c. Campus e-mail address
 - d. Major field of study (all declared majors)
 - e. Minor field of study (all declared majors)
 - f. Class level
 - g. Dates of attendance
 - h. Enrollment status (withdrawn, half-time, full-time)
 - i. Names of previous institutions attended
 - j. Participation in officially recognized activities and sports (released as part of a team roster)
 - k. Height, weight, and photos of athletic team members (released as part of a team roster)
 - l. Honors/awards received (academic honors/awards released at the end of a term and graduation released at the end of a term or part of graduation/commencement events)
 - m. Degree earned (all degrees earned)
 - n. Date degree earned (dates of all degrees earned)

- o. Directory photos, photographs, and video recordings of students in public or non-classroom settings (photographs from classrooms or class-related activities are NOT directory information).
- 4. Directory information concerning a particular student will be removed from release upon written request from the student involved within fourteen (14) days of the beginning of a semester. Education records concerning a student may be reviewed upon request by the student. Education records, including but not limited to a student's academic transcript may be released by a North Dakota University System (NDUS) institution to a second institution without prior written consent, provided the student applied for admission. Additional information on student records management may be obtained by contacting the Student Affairs Office.
- 5. The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. These rights include:
 - a. The right to inspect and review the student's education records within 45 days after the day LRSC receives a request for access. A student should submit to the Registrar, Vice President of Student Affairs, Vice President of Academic Affairs, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
 - b. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
 - i. A student, who wishes to ask LRSC to amend a record, should write LRSC clearly identifying the part of the record the student wants changed and specify why it should be changed.
 - ii. If LRSC decides not to amend the record as requested, LRSC will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
 - c. The right to provide written consent before LRSC discloses Personally Identifiable Information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
 - i. LRSC discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official typically includes a person employed by LRSC in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of LRSC who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in

performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the LRSC.

- ii. Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.
- iii. The right to file a complaint with the U.S. Department of Education concerning alleged failures by LRSC to comply with the requirements of FERPA can be directed to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

History

Administrative Council Approved 05/22/2009

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