



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

NOTIFICATION OF RIGHTS UNDER THE FEDERAL EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

REGULATIONS: 34 C.F.R., § 99, ET SEQ.; CALIFORNIA EDUCATION CODE § 76200, ET SEQ.; TITLE 5 § 54600 ET SEQ.; AND SDCCD BOARD OF TRUSTEES POLICY 3001 – STUDENT RECORDS AND ADMINISTRATIVE PROCEDURE 3001.1 – STUDENT RECORDS, RELEASE, CORRECTION AND CHALLENGE

FAMILY EDUCATION RIGHTS AND PRIVACY ACT - STUDENT RIGHTS

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age). These rights include:

1. The right to inspect and review the student's education records within 15 days after the day the District/colleges receives a request for access. A student should submit to the college Vice President, Student Services on your campus a written request that identifies the record(s) the student wishes to inspect. The District/colleges 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.
2. 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.

A student who wishes to amend a record should write to the Vice President, Student Services and clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the college decides not to amend the record as requested, the student has a right to appeal to the Chancellor or his/her designee. For detailed steps please refer to Administrative Procedure, 3001.1 – Student Records, Release, Correction and Challenge.

Students who wish to challenge a grade must process their request in accordance with Administrative Procedure 3001.2 Grade Challenge.

3. The right to provide written consent before the District/colleges discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The District/colleges 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 the San Diego Community College District in an administrative, supervisory, academic, counseling, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official may also include a volunteer or contractor outside of the District/college 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 personally identifiable information 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 District/colleges & Continuing Education.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District/colleges to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

DISCLOSURE OF INFORMATION

San Diego Community College District does not release directory information

FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations and Administrative Procedure 3001.1 Student Records, Release, Correction and Challenge. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose personally identifiable information from the education records without obtaining prior written consent from the student:

- To other school officials, including teachers, within the District whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met.
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34.
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of § 99.35, in

connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs.

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her.
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.