



# Record Security, Confidentiality, Retention, and Disposal

## Record Security

All school records are maintained under a level of security appropriate to the content of the records. Electronic student and personnel information is maintained on password protected computer system with password access limited to faculty and staff. The system has back-up capabilities. Paper copies of records are maintained in the appropriate department in secured filing cabinets, vaults, or offices accessible only to authorized personnel.

## Record Confidentiality

Any current or former student at DMTC is provided access to their records in compliance with the requirements of the Federal Family Educational Rights and Privacy Acts of 1974 (FERPA). FERPA, as amended, is a federal law enacted to establish procedures for disclosing information contained in student records and to protect the privacy of these records. The Act applies to currently enrolled students beginning at the point of deposit ("fee paid") and former students but does not apply to individuals who have applied for admission, but never attended Delta-Montrose Technical College. Applicants for admission who are denied enrollment or who are accepted but do not deposit do not have a right to review their records. Information obtained on a former student subsequent to graduation or termination of enrollment is not covered under the Act (e.g. data accumulated on alumni). All rights under the Act cease when a person dies -- the College will decide on an individual basis what records of deceased students can be released and to whom they will be released.

Delta-Montrose Technical College will notify students annually of their rights under the Act by publishing such information in the College catalog. That notice will inform the student that a complete policy is available from the Office of the Registrar.

Currently enrolled and former students have a right to inspect their educational records upon written request. Students must request permission in writing to inspect their records and must present that request to the appropriate office as noted in item three of this policy. The records will be made available to the student for inspection not more than 45 days following the request. A College employee will be present while the student inspects his or her records

### 1. Definitions:

- a. A school official is a person employed by Delta-Montrose Technical College in an administrative, supervisory, academic or research, or support staff position; a person serving on the Board of Trustees; or a student serving in an official committee or assisting another College official in performing his or her tasks.
- b. Education Records are defined as anything that directly identifies a student and are maintained as official working files by the College. Education records may include:
  - i. Class Lists
  - ii. Grade Rosters
  - iii. Computer Printouts
  - iv. Information on a Computer Screen
  - v. Student Schedules
  - vi. Documents in the Office of the Registrar
  - vii. Advisee Folders
- c. AND anything that contains the following:
  - i. ID Number
  - ii. Social Security Number
  - iii. Grades
  - iv. Exam Scores

- v. GPA
- vi. Number of credits taken in a term
- d. The following files are NOT considered educational records under FERPA:
  - i. Records about students made by instructors, professors, and administrators for their own use and not shown to others (sole possession records)
  - ii. Office of Security and Safety records maintained solely for law enforcement purposes and kept separate from the education records described above
  - iii. Employment records, except where a currently enrolled student is employed as a result of his or her status as a student
  - iv. Records of a physician, psychologist, or other recognized professional made or used only for treatment purposes and available only to persons providing treatment
  - v. Records that contain only information relating to a person's activities after that person is no longer a student at the College
  - vi. Financial information submitted by parents(s)/guardian(s)
  - vii. Directory Information not restricted by the student
  - viii. Confidential letters and recommendations placed in the student's record if the student has waived in writing his or her right to inspect those letters and recommendations. Students may revoke a waiver at a later time, but any such waiver must be in writing and is only effective with respect to actions occurring after the revocation.

For information about educational records, contact the office in which the records are kept. Types of educational records maintained by Delta-Montrose Technical College are as follows:

- Office of Admissions/Registrar – Application for admission, academic records from past schools attended, recommendations, and related documents. Personal information data, course registration, records of all courses taken including grades, documents related to degree completion requirements, and other related information. Photograph, ID card information, miscellaneous correspondence, disciplinary information.
- Office of College Financial Aid– Financial Aid applications, records of financial aid awarded, and related documents.
- Business Office – Records related to all charges, payments, and emergency and Perkins loans for educational services rendered by the College.
- Office of Career Services – Placement data completed by the student, resumes, information on courses taken toward degree, letters of recommendation from faculty and/or employers.
- Academic Departments – Student applications to program, copies of grades, notes from student interviews, faculty recommendations, department recommendations, records of field experiences, clinicals, practica, internships, and other related documents.
- Testing and Assessment Center– TABE test results.
- Faculty Advisors–Notes from advising sessions, copies of various communications to and from advisee, faculty, and other offices, and related advising material.

Students may request copies of available records when failure to provide a copy of the record would effectively prevent the student from inspecting and reviewing the record. Students must pay a per copy fee. A copy may be refused, but only if, in doing so, the institution does not limit the student's right to inspect and review that record.

Unless otherwise required by law, Technical College of the Rockies transcripts will not be issued to students who are delinquent in paying College charges for educational services or who are behind in financial loan repayments. Copies will not be provided of education records (e.g. transcripts) which were issued by other education institutions unless authorized by the Registrar.

Student records will be designated as "directory" or "non-directory" information. "Directory information" may be released at the discretion of College officials without the written permission of the student. Once a year students will be given the opportunity to request that directory information be withheld unless their

written approval is given. Students may request to withhold disclosure of directory information by completing a form online or in the Registrar's office. A student who is no longer enrolled cannot request that directory information be withheld. TCR will, however, continue to honor a student's last request with regard to the disclosure or non-disclosure of directory information made while the student was in attendance at TCR.

1. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to: the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate; fulltime or parttime); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational agency or institution attended.
  - a. Non-directory information is defined as any personally identifiable student information which is not directory information. Directory information does NOT include a student's social security number or student identification (ID) number, except as provided in paragraph (c) of this section.
  - b. Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user. [Federal Register, Authority: 20 U.S.C. 1232g(a)(5)(A)].
2. "Directory" and "Non-directory information" must be released without the written consent of the student to:
  - a. Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or State or local educational authorities, for audit and evaluation of Federal and State supported education programs, or for the enforcement of or compliance with Federal legal requirements which relate to those programs.
3. "Directory" and "Non-directory information" may be released without the written consent of the student to:
  - a. Delta-Montrose Technical College personnel who have a legitimate educational interest in the records.
  - b. Officials of another school in which the student seeks to enroll.
  - c. Persons or organizations involving financial aid in order to determine the student's eligibility for financial aid; to determine the amount of financial aid; to determine conditions to be imposed regarding financial aid; and to enforce conditions of financial aid.
  - d. A person or organization retained to be an agent for, or under contract with Delta-Montrose Technical College (e.g. financial auditors, attorney, National Student Clearinghouse, etc).
  - e. State and local officials as allowed by state statutes concerning the juvenile justice system.
  - f. Organizations who are conducting studies to develop, validate, and administer predictive tests, administer student aid programs, and improve instruction. Those organizations cannot redisclose personally identifiable information of students.
  - g. Accrediting agencies carrying out their accrediting functions.
  - h. Parents of dependent students. Students who are claimed as dependents on their parents'/guardians' most recent federal tax return.
  - i. To comply with a judicial order or lawfully issued subpoena. The College will notify the student when such a request occurs without the student's knowledge unless prohibited by law.
  - j. Appropriate persons in a health or safety emergency.

4. The College can release information related to a student contained in law enforcement records so long as such records are created by a law enforcement unit, created for a law enforcement purpose, and maintained by a law enforcement unit in a manner that segregates them from records maintained by other components of the College.
5. The Act does not guarantee any rights to parents or guardians of students who are attending post-secondary institutions. The Act does, however, allow TCR to provide parents with access to their student's educational records provided the parents claim the student on their Federal income tax return. If a student is claimed as a dependent for Federal income tax purposes by either parent (regardless of the parents' current marital status), then either parent may have access to the student's education records without the student's consent. Parents who did not file a Federal income tax return or did not claim their student as a dependent on their Federal income tax return may not have access to their student's education records without their student's express written consent.

If TCR determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from educational records to any person whose knowledge of the information is necessary to protect the health or safety of the student or others, provided that DMTC will only exercise this authority for the duration of the emergency.

Delta-Montrose Technical College will maintain a record of requests for access to and disclosure of a student's non-directory information to anyone other than the student, College officials with a legitimate educational interest, a party with the student's written consent, or a party seeking or receiving the records as directed by a court order or lawfully issued subpoena that directs the College to refrain from disclosing the contents of the subpoena or the information furnished in response to the subpoena. A student may inspect the record of disclosure which will be kept by the office in which the record is maintained unless such inspection is prohibited under the terms of a court order or lawfully issued subpoena.

If a student believes that information in his or her record is inaccurate, misleading, or otherwise in violation of his or her privacy rights, he or she may request that a change in the record be made. Such a request must be in writing and submitted to the appropriate College official in whose office the record in question is located (see section three). If the student disagrees with the action taken, he or she may make a written request to that official for a hearing to contest the record. A hearing will be conducted within three weeks of the written request (or as soon thereafter as is practicable) with the student having an opportunity to present all relevant evidence. The hearing panel will consist of the College official in charge of the record in question and two other officials selected by the official in charge. The student will be notified within two weeks of the hearing (or as soon thereafter as is practicable) as to the decision of the official or hearing panel. The decision of the hearing panel is final. If the student disagrees with the action taken by the hearing panel or official, he or she may place a statement in his or her educational record giving the reasons for disagreeing with the decision. (NOTE: Appeal of grades or disciplinary action should follow the processes outlined in the student handbook and academic catalog.)

Enforcement of this Act is the responsibility of the Family Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-5920. [The only penalties provided for violation of the Act on the part of the College is the possible elimination of federal funds received by the College. There is no private cause of action under the Act.]

Further information concerning The Family Educational Rights and Privacy Act is available at [www.ed.gov](http://www.ed.gov).

### **Guidelines for Faculty and Staff**

- The release of non-directory information to parties outside of the College is restricted to the appropriate educational record custodian and only if the custodian has a signed and dated authorization to release statement from the student. A Consent to Release Education Records

form is available to facilitate the collection of written consent from the student for release of his/her educational record.

- Information from a student's educational record may be shared among College officials who have legitimate educational interests.
- Access to a student's educational records by College officials is restricted to that portion of the record necessary for the discharge of assigned duties.
- Directory information on individual students may be made available publicly by the appropriate educational record custodian, unless the student has blocked disclosure of directory information. For information on how to check for student confidentiality and what to do if a student has blocked disclosure of their directory information, see [http://www.registrar.psu.edu/confidentiality/confidentiality\\_enhancement.cfm](http://www.registrar.psu.edu/confidentiality/confidentiality_enhancement.cfm).
- The College does not provide mailing lists to any third party for either commercial use or for solicitation of any product or service. For additional guidelines on appropriate use of student data, see ADG06.

Good practice by faculty and staff members requires that they maintain, use, and report student data in compliance with the requirements of FERPA and College Policy (policy AD11). The following statements provide practical guidelines to follow:

1. **Do** refer requests for student record information to the proper educational record custodian.
2. **Do** keep only those individual student records necessary for the fulfillment of your teaching or advising responsibilities.
3. **Do** keep any personal records relating to individual students separate from their educational records. Private notes of a professor/staff member concerning a student that are intended for professor's/staff member's own use are not part of the student's educational record.
4. **Do** insure privacy when asking for student PSU ID. When on the telephone, be aware that the student may not be in a private environment.
5. **Do** ask for only the last four digits of the PSU ID on exams and other documents, when needed, to identify different students with the same name.
6. **Do** properly dispose of all papers and documents that contain the PSU ID.
7. **Do** use blind copies when e-mailing groups of students.
8. **Do Not** include the PSU ID in the subject line of an e-mail message.
9. **Do Not** include the PSU ID on any document mailed by surface mail where the PSU ID is visible on the document or in a window envelope.
10. **Do Not** display student scores or grades publicly in association with the student name, PSU ID, Social Security number, or other personal identifier. Scores or grades may be posted using a code known only to you and the student.
11. **Do Not** put papers or lab reports containing student names and grades in publicly accessible places. Students must not have access to the scores and grades of others in the class.
12. **Do Not** circulate printed class lists containing non-directory information such as, PSU IDs for purposes of taking attendance. Instead, use a blank "sign in" sheet.
13. **Do Not** request information from the educational record custodian without a legitimate educational interest and the appropriate authority to do so.
14. **Do Not** share student educational record information with other faculty or staff members of the College unless their official responsibilities provide for a legitimate educational interest.
15. **Do Not** ask for the PSU ID on any document that will be viewed by anyone other than a College employee with an educational need to know. Examples:
  - On exams, homework assignments and attendance rosters, especially if other students may view these documents.
  - On questionnaires, surveys and other documents soliciting additional personal information.
  - On checks payable to the College or to the student.
  - On non-academic documents such as a Fitness Pass or an appointment sign-in sheet.
16. **Do Not** share, by phone or correspondence, information from student educational records, including grades or grade-point averages, with parents or others outside the College, including

within letters of recommendation, without written consent from the student.

A Consent to Release Education Records form is available to facilitate the collection of written consent from the student for release of his/her educational record.

A Request for Letter of Recommendation form is available to allow students to request letters of recommendation and to authorize inclusion of information from their education records.

## **Record Retention and Disposal**

Delta-Montrose Technical College follows the CCCS guidelines for retention and disposal of records. Specific retention times and disposal processes are in the attached spreadsheet.