



Administrative Policy

Policy Type:	Access to Student Information
Policy Number:	2801
Date Adopted:	9/20/2011
Version:	4.0
Review Cycle:	Annually
Date Last Reviewed:	10/8/2020
Office Responsible:	Student Services - Registrar
Reviewing Committee:	Customer Focused
Related Policies:	NA
Related Laws:	Family Education Rights and Privacy Act

Policy Summary

Jackson College (JC) maintains student education records and is responsible for access to and release thereof in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (FERPA).

Definitions: The following definitions apply to terms as they are used in this policy.

Applicant, Prospect, or Recruit: An individual who has expressed interest in attending JC but has not yet matriculated or registered for classes.

Student: A student is any individual who has satisfied all of the requirements for attendance at the College and has registered for at least one course and participated in at least one class meeting.

Education Records: Education records are those records, files, documents, and other materials which contain information directly related to a student and are maintained by JC or by a party acting on behalf of JC. This includes information or data recorded in any medium including, but not limited to, handwriting, print, tapes, film, microfilm, microfiche, and any electronic storage or retrieval media.

Education records exclude: (1) records that are in the sole possession (viewed only by the author) of school officials and are not accessible by other personnel; (2) campus security records that are maintained or created by the law enforcement unit for the purpose of law enforcement and not shared with other College departments; (3) employment records relating to students who are employed by JC, unless the employment is a result of his/her status as a student; (4) records created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional, that are used only in connection with the treatment of the student and are not available to anyone other than those providing such treatment; and (5) records that contain information about an individual after that person is no longer a student at JC, unless the records pertain to the individual's previous attendance as a student.

Directory Information: Directory information is information in a student's education record which may be disclosed to outside parties without a student's prior written consent. Disclosure of directory information about a student is generally not considered harmful or an invasion of privacy. In accordance with FERPA, JC has designated the following student information as directory information:

- Student's name



- Student's phone number (s)
- Student's e-mail address(es)
- Student's address
- Date and place of birth
- Current enrollment status and/or dates of attendance
- Class (freshman, sophomore, etc.)
- Major field of study
- Current term candidacy for degree and/or certificate
- Information pertaining to awards and honors achieved Degree(s) earned from Jackson College and effective date(s) and
- Participation in officially recognized College activities and sports, including weight and height of athletic team members.
- Previous Educational institutions attended

Policy Statement

This policy describes JC's policy on access to student information. FERPA permits, but does not require the release of directory information. The College evaluates each request and determines if complying with the request is in the best interest of the student(s). JC retains the right to deny any request for directory information or to only verify directory information that has been obtained by the requester from other sources. Directory information is not released for commercial purposes.

A student may request that his/her Directory Information not be released by submitting a written request to the College Registrar.

Disclosure to Students: Currently enrolled and former students have the right to inspect and review their education records upon presentation of proper identification. Requests for access to records must be granted within a reasonable period of time, but in no case later than forty-five (45) days following the date of request. Financial obligations do not prevent access to view records, but do prohibit distribution of such records.

Amendment of Record: A currently enrolled or former student has the right to request an amendment of records that he/she believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A request to amend a record should be made in writing to the JC official responsible for the record, clearly identifying the part of the record the student wants changed and specifying why it should be changed. If the student's request to amend is denied, JC official will notify the student in writing of the decision and the right to a hearing on the decision.

Appeal: A student who is denied access to his/her records may appeal, in writing, to the Student Ombudsman using the non-academic appeal form. If the decision to deny access is upheld, the Student Ombudsman will provide a written statement to the student regarding the basis for the denial within ten (10) business days of the receipt of the appeal.



Disclosure to Third Parties: Information from student's education records may not be released to third parties without the student's prior written consent, with certain exceptions. The exceptions to the consent requirement are limited to the following:

- **Disclosure to College Employees and Officials:** Employees, volunteers, contractors, etc. with a legitimate educational interest in the records may access student records on a need to know basis. Specifically, a school official requesting or accessing information must have a legitimate need for the requested information for the effective functioning of his or her position.
- **Disclosure pursuant to Judicial Order:** Student education records may be released if properly subpoenaed pursuant to a judicial, legislative, or administrative proceeding. In all such cases, reasonable attempts will be made to notify the student of the judicial order in advance of compliance, as permitted by law.
- **Disclosure pursuant to Requests for Financial Aid:** Student education records relevant to the student's application for, or receipt of, financial aid may be disclosed without the student's prior written consent.
- **Disclosure to Federal and State Authorities:** Authorized federal and state officials may have access to student education records as required by the audit and evaluation of state and federally supported education programs, or in connection with the enforcement of federal legal requirements which relate to such programs.
- **Disclosure to Accrediting and Professional Associations:** Designated representatives of accrediting and other professional organizations with which the College is affiliated may have access to student education records to the extent necessary to fulfill the obligation of that affiliation.
- **Disclosure pursuant to Student's Delinquency on Payment:** Student education records may be disclosed as necessary to effect collection of a student's financial obligations to the College
- **Disclosure pursuant to Litigation against the College:** Student education records deemed necessary for the defense of the College in a suit filed by a student may be disclosed to attorneys representing the College.
- **Disclosure pursuant to the College's Obligations to Support Study and Research:** The College may disclose personally identifiable information from a student's education records without consent if the disclosure is to an organization conducting studies for, or on behalf of, the College to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. Requests for access to student education records under the studies exception must be approved by the College President. Such requests will be fulfilled, if possible, by information from which all identification of the student has been removed.



The written agreement between the College and the organization conducting the study must specify the purpose, scope, and duration of the study and the information to be disclosed; require the organization to use personally identifiable information from education records only to meet the purposes of the study; limit any disclosures of information to individuals in the organization who have a legitimate interest in the information; and require the organization to destroy or return to the College all personally identifiable information within a specified time period when the information is no longer needed for the purposes of the study.

- **Disclosure to Protect the Health and Safety of an Individual:** The College may disclose information from education records to appropriate parties including, but not limited to, parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of a student or another individual if there is a significant and articulable threat to the health or safety of a student or other individual, considering the totality of the circumstances. The College must record the articulable and significant threat that formed the basis for the disclosure and the parties to whom the information was disclosed.
- **Parents or Legal Guardians:** Typically the College does not make disclosures of information to parents or legal guardians without written consent from the student. However, under FERPA, JC may disclose education records to parents of dependent students without written consent, if the student is dependent for tax purposes under Internal Revenue Service (IRS) tax rules. Neither the age of the student nor the parent's status as custodial parent is relevant in this case. If the student is claimed as a dependent by either parent for tax purposes, then either parent may be given access under this provision. To make such a dependency determination, a school may ask the parent to provide a copy of the most recent Federal income tax form.

Also, consistent with FERPA, the College does not need a student's consent to release information from education records to parents or other appropriate individuals in the case of health and safety emergencies.

Student education records disclosed to a third party are subject to the condition that the third party will not permit any other party to have access to the records without prior approval from the College.

Data Requests: Employees are granted access to the student and institutional data necessary to perform the duties and responsibilities of the position they hold. Requests for access to additional student data must be approved by the administrative supervisor of the department. JC staff shall only access student information on a need to know basis.

Requests from recognized educational or governmental organizations for student or institutional data should be referred to the Registrar or Institutional Research Office. All data requests are subject to review and approval for compliance with FERPA and College policies. JC does not release student information for commercial purposes.

Deceased Students: Under common law regarding privacy rights, the privacy interests of an individual expire with that individual's death. Since FERPA would no longer apply, Discretionary



review by the Dean of Student Services or the College Registrar will be used in reviewing request for release of a deceased student’s information. All requests must be submitted in writing defining information requested and purpose of request along with a death certificate or other documentation verifying the death of the student (if the institution does not already have student file recorded as deceased).

Freedom of Information Act: The Freedom of Information Act (FOIA), M.C.L. 15.231 et seq., regulates and sets requirements for the disclosure of public records by all public bodies in the state. FOIA provides that all communications of a public body are subject to disclosure unless specifically exempted by the Act. A public body may, but is not required to, withhold from public disclosure those categories of public records exempt from disclosure under the Act.

All FOIA requests must be submitted to: Jackson College
Office of the President
2111 Emmons Road
Jackson, MI 49201

Training: All JC employees are introduced to the Access of Student Information Policy and Procedure during New Employee Orientation. Training shall be provided annually to assure continued understanding of and adherence to the policy.

The Registrar shall maintain the policy, reflective of any changes to FERPA regulations. Human Resources shall assure provision of training (consistent with regulatory updates), to new and existing employees, and maintain training records. Supervisors shall ensure their direct reports have completed required training and provide documentation of training through the Employees Feedback process.

Further Information: If circumstances arise involving release of student records that are not covered by this policy, the Registrar’s Office shall be contacted for advice, clarification, or direction.

Policy Change Log:

Date of Change	Change Description	Responsible Party
September 2011	Initial Policy	R. Klee
December 2011	Addition of training requirement	R. Klee
March 2012	To clarify prospect applicant definitions and communication with parents of dependent students.	M. Shields
4/23/2014	Removed “Community”	Registrar
06/09/16	Annual Review	Registrar
10/8/20	Biennial Review	Registrar