

STUDENT RIGHTS AND PRIVACY

7.20400 OP
OPERATIONAL
PROCEDURE

OVERVIEW

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. This procedure outlines student rights as they relate to educational record privacy.

PROCESS

STUDENT RIGHTS

FERPA affords students enrolled in postsecondary institutions certain rights with respect to educational records. These rights include the following:

The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit a written request to the Colleg Registrar that identifies the record(s) they wish to inspect.

The registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records requested are not maintained by the Registrar they shall advise the student of the correct school official to whom the request should be addressed.

The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or in violation of the student's right to privacy. Students desiring an amendment to their educational record should write the school official responsible for maintaining the record, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of the student's privacy.

The right to a hearing regarding the request for an amendment of the student's education records. If the College decides not to amend the record as requested by the student, the appropriate school official must notify the student of the decision and advise the student of their 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.

The right to prevent the College's disclosure of the student's personally identifiable information from the student's educational records in most circumstances. The College must obtain the written consent of a student before disclosing that student's personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent. Where required, a student's consent must specify the records to be disclosed, the purpose of the disclosure, and the party

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or class of parties to whom disclosure may be made. FERPA contains the following exceptions allowing a College to disclose a student's personally identifiable information.

1. Disclosure to school officials with legitimate educational interests is permitted without student consent.
2. 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.
3. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of FERPA. The disclosure may only include the final results of the disciplinary proceedings with the respect to that alleged crime or offense, regardless of the finding.
4. Disclosures to parents are permitted in three situations. First, disclosure of a student's personally identifiable information to parents is permitted absent a student's written consent in the event of a health or safety emergency. The College may disclose education records in an emergency if the College determines that there is an articulable and significant threat to the health or safety of the student or other individuals. Second, disclosure of a student's personally identifiable information is permitted to parents of the student if the student is a dependent pursuant to section 152 of the Internal Revenue Code of 1986 and notice is given to the student that a parent has requested such information. Third, disclosure of a student's personally identifiable information to parents is permitted without the student's written consent if the student is under 21 and has violated a law or College rule or policy governing alcohol or controlled substance consumption.

The right to opt out of the disclosure of directory information. Pursuant to FERPA, the College has classified certain personally identifiable information as directory information. Students who wish to restrict the release of directory information must submit the appropriate form to the Office of the Registrar or Enrollment Manager during the first week of each academic term. This form can be found on the College's website, or at the Office of the Registrar/Enrollment Manager. Upon receipt of such request the Office of the Registrar/Enrollment Manager will designate that the student's directory information is confidential and not to be released outside the College except to individuals, institutions, agencies and organizations authorized in the form. The College will honor all requests

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to withhold any of the categories of directory information but cannot assume any responsibility to contact the student for subsequent permission to release information. Nondisclosure will be enforced until the information is subsequently released by the student. A student may not, however, opt-out of disclosure of the student's name, institutional e-mail address, or electronic identifier in the student's classroom. Regardless of the effect on the student, the College assumes no liability for honoring the request of the student to restrict the disclosure of directory information.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by Metropolitan Community College 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 20202-5920

SUNSHINE LAW
REQUEST

The Missouri Sunshine Law requires the College to release student directory information. To opt out of all Sunshine Law requests, students must submit the appropriate form to the Office of the Registrar during the first week of each academic term.

PROCEDURE
MODIFICATION

This procedure must be reviewed regularly by the Chief Student Services Officer and the College Registrar at a minimum of every five years.

ENFORCEMENT

This operational procedure and applicable regulations shall be strictly enforced. Violations may result in disciplinary action up to and including termination.

VALUES ALIGNMENT

Integrity

NOTIFICATION

The responsible officer will ensure districtwide communication is made within 30 days of approval through the college-wide communication platform available.

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