Number: 1.21
Policy/Operational Procedure Name: Family Educational Rights and Privacy Act

Sponsor: Lisa Inman, Dean, Student Development and Support
Custodian: Student Information and Records

Effective Date(s): November 2015
Next Review Date: Spring 2018

Location: http://www.durhamtech.edu/policiesprocedures/ferpa.htm
Citation: http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html

Policy Statement:
In accordance with the Family Educational Rights and Privacy Act (FERPA) (20U.S.C. § 1232g; 34 CFRPart99), the Federal law that protects the privacy of student education records, students have certain rights to inspect and review their education records, request that their records be corrected if they believe that they are inaccurate or misleading, and determine what information about their records can be released.

Durham Technical Community College reserves the right to disclose, without consent, “directory” information.

Procedure:
For inquiries related to student education records and all other information regarding this policy, contact:
Student Information and Records
Phail Wynn, Jr. Student Services Center
(919)536-7214, ext. 1800

Please note the following in consideration with the FERPA Policy as it pertains to disclosing student education records information:

- Students have the right to inspect and review the student’s education records maintained by the Student Information and Records Office (located in the Phail Wynn, Jr. Student Services Center). Durham Tech is not required to provide copies of records unless, for reasons such as great distance, it is impossible for students to review the records. Durham Tech may charge a fee for copies.

- Students have the right to request that Durham Tech correct records which they believe to be inaccurate or misleading. If Durham Tech decides not to amend the record, the student then has the right to use the student grievance process. If the decision remains to not amend the record, the student has the right to place a statement with the record setting forth his or her view about the contested information.

- Durham Tech will disclose records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - Durham Tech officials with legitimate educational interest;
  - Other colleges to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the college;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; or
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.
Students may request not to have any of their directory information disclosed by contacting the Student Information and Records office and completing the appropriate form within the first two weeks of a term in which they are enrolled. When such a restriction is in effect, any response to inquiries must indicate that the institution cannot release information about that student to the public. This directory restriction will remain in effect indefinitely and can only be revoked by written authorization from the student.

Students may instead request not to have any directory or non-directory information disclosed by contacting the Student Information and Records office and completing the appropriate form within the first two weeks of a term in which they are enrolled. As this restriction prohibits the college from acknowledging or verifying the students’ attendance or existence at the institution, this option should only be considered in compelling or extenuating circumstances. When such a restriction is in effect, any response to inquiries must indicate that the institution has no information about that person/individual. This FERPA restriction will remain in effect indefinitely and can only be revoked by written authorization from the student.

Additionally, students may designate individuals to have access to their education records by contacting the Student Information and Records office and completing the appropriate form.

### Purpose/Definitions:

**Directory Information** – Information that Durham Tech has determined may be shared about an individual student which includes a student’s name, email address, current program of study, terms enrolled, honors and awards, credentials earned, and participation in official student clubs or organizations

**Student Education Records** – Anything that is considered part of a student’s permanent record, including but not limited to, grades, comments recorded in the student information system, and notes (e.g. faculty, clinical), in addition to directory information

**Student** – Anyone enrolled at Durham Tech who has reached the age of 18 OR attends a college beyond the high school level

**Legitimate Educational Interest** – This includes student information used to determine eligibility for recognitions, college-related organization membership, scholarships, academic interventions and support, etc.

**Directory Restriction** – When a student exercises control over directory information by prohibiting the disclosure of all or specific directory information

**FERPA Restriction** – when a student exercises control over directory and non-directory information by prohibiting the disclosure of any or all information related to attendance or existence at the college

### Review Action

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<td>College Council or Committee</td>
<td>1/30/2015, 3/27/2015</td>
<td>10/30/2015 (procedure)</td>
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<tr>
<td>College-Wide and Legal Review</td>
<td>3/30-4/28/2015</td>
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<td>President’s Approval</td>
<td>3/30-4/28/2015</td>
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<td>Board of Trustees Review</td>
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