



**STUDENT RECORDS AND PRIVACY ACT POLICY**

(Incorporates Policy on Use of Student Social Security Numbers)

**POLICY**

The Family Educational Rights and Privacy Act (FERPA) of 1974, a Federal law, provides safeguards regarding the confidentiality of and access to student records. Students and former students have the right to review their official records and to request a hearing if they challenge the contents of these records. Brunswick Community College (BCC) may release directory information to appropriate agencies and organizations, unless the student has advised the College to the contrary in accordance with BCC procedures. Brunswick Community College may disseminate information concerning student achievement, honors awarded or other exemplary actions or conduct. No other records shall be made available to unauthorized personnel or groups inside or outside the College without written consent of the student involved, except under legal compulsion.

Brunswick Community College recognizes that it collects and maintains confidential information relating to its students and is committed to maintaining the privacy and confidentiality of an individual's Social Security Number (SSN). This policy is to comply with the provisions of North Carolina General Statute 75-60, the Identify Theft Protection Act of 2005. The policy applies to all individuals who have access to, collect, or use an individual's Social Security Number.

The administrative computer system (Colleague) generates a student ID number which shall replace the Social Security Number as the primary identifier used by Brunswick Community College whenever possible. Therefore, the use of the Social Security Number as an identification number within the College shall be limited as permitted by law and only used for identity verification purposes when dictated by Federal or State agencies.

No office or individual at the College shall:

- a) Post grades, assignments or other information using a Social Security Number.
- b) Require an individual to use or to transmit a Social Security Number over the Internet or a computer system or network unless the connection is secure or the transmission is encrypted.

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**PROCEDURES**

**Definitions**

For the purpose of this policy, Brunswick Community College has used the following definitions of terms:

Student - any person who attends or has attended Brunswick Community College.

Education records - any record (in handwriting, print, tapes, computer, or other medium) maintained by Brunswick Community College which is directly related to a student, except:



1. A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible to any other person except a temporary substitute for the record maker.
2. Records created and maintained by the Brunswick County Sheriff's Office at BCC for law enforcement purposes.
3. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.
4. Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni records which contain information about a student after he or she is no longer in attendance at Brunswick Community College and which do not relate to the person as a student.

#### **Annual Notification**

Students will be notified of their Family Educational Rights and Privacy Act of 1974 (FERPA) rights annually by publication in the College Catalog and Student Handbook.

#### **Directory Information**

Brunswick Community College designates the following items as directory information: student name, address, telephone number, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended, and photograph. The College may disclose any of those items without prior written consent unless the student has notified Records & Enrollment Management, in writing, stating that he/she does not want such information released.

#### **Disclosure of Educational Records**

Brunswick Community College will disclose information from a student's education records only with the written consent of the student, except in the following allowable instances:

- A. To school officials who have a legitimate educational interest in the records. A school official is:
  1. A person employed by Brunswick Community College in an administrative, supervisory, academic or research support staff position or work study student.
  2. A person elected to the Board of Trustees.
  3. A person employed by or under contract to Brunswick Community College to perform a special task, such as the attorney or auditor.



4. A person employed by the Brunswick County Sheriff's Office at BCC.
5. A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official is:
  - a. Performing a task that is specified in his/her position description or contract agreement.
  - b. Performing a task related to a student's education.
  - c. Performing a task related to the discipline of a student.
  - d. Providing a service or benefit relating to the student's family, such as childcare, job placement, or financial aid.
  - e. Maintaining the safety and security of the campus.
- B. To officials of another school, upon request, in which a student seeks or intends to enroll.
- C. To certain officials of the U. S. Department of Education, the Comptroller General, and State and local educational authorities, in connection with audit or evaluation of certain State and federally supported education programs.
- D. In connection with student's request for or receipt of financial aid to determine the eligibility, amount or condition of the financial aid, or to enforce the terms and conditions of the aid.
- E. To State and local officials or authorities if specifically required by State law that was adopted before November 19, 1974.
- F. To organizations conducting certain studies for or on behalf of Brunswick Community College.
- G. To accrediting organizations to carry out their functions.
- H. To parents of an eligible student who is claimed as a dependent for income tax purposes.
- I. To comply with a judicial order or a lawfully issued subpoena.
- J. To appropriate parties in a health or safety emergency.
- K. To individuals requesting directory information so designated by Brunswick Community College.
- L. The results of any disciplinary proceeding conducted by Brunswick Community College against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

#### **Records of Requests for Disclosure**

Brunswick Community College will maintain a record of all requests for and/or disclosures of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

#### **Inspection of Educational Records**

Students have the right to review their education records retained at the College. Appointments for this review may be made by calling Records & Enrollment Management at 910.755.7320.



### **Correction of Educational Records**

Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

- A. A student must formally request, in writing, for the Director of Records & Enrollment Management to amend a record. In so doing, the student should identify the part of the record to be amended and specify why the student believes it is inaccurate, misleading or in violation of his/her privacy rights.
- B. Brunswick Community College may comply with the request, or it may decide not to comply. If it decides not to comply, Brunswick Community College will notify the student of the decision and advise the student of his or her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.
- C. Upon request, Brunswick Community College will arrange a hearing and notify the student, reasonably in advance, of the date, place, and time of the hearing. The hearing will be conducted by a hearing officer who is a disinterested party. However, the hearing officer may be an official of the institution. The student shall be afforded full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's educational records. The student may be assisted by one or more individuals, including an attorney.
- D. Brunswick Community College will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- E. If Brunswick Community College decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.
- F. If Brunswick Community College decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the student that he/she has a right to place in the record a statement commenting on the challenged information and/ or a statement setting forth reasons for disagreeing with the decision.
- G. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If Brunswick Community College discloses the contested portion of the record, it must also disclose the statement.

### **Employee Compliance and Training**

At time of hire and at each contract renewal, every employee of Brunswick Community College signs a Confidentiality Agreement. The Confidentiality Agreement includes information about the necessity of maintaining the security of information, including the protection of student information. BCC will also provide refresher training periodically for employees who routinely handle student records/data.

*Approved by Brunswick Community College Board of Trustees*

March 18, 1992; January 15, 1997; June 28, 2013; November 16, 2017;

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