Lone Star College System Procedures for Requests for Student Information in Compliance with the Family Educational Rights and Privacy Act (FERPA)

PURPOSE
This procedure details the regulations and rules Lone Star College System (LSCS) must meet relating to the confidentiality and disclosure of student information under the Family Educational Rights and Privacy Act (FERPA).

SCOPE
This procedure establishes that all employees of LSCS are subject to FERPA when dealing with the use and disclosure of student records. This procedure defines which records are subject to FERPA regulations, when disclosure is allowed and when student consent is necessary.

DEFINING EDUCATIONAL RECORDS
An educational record is defined as any educational record that directly identifies a student and is maintained by LSCS. Educational records can exist in any medium including the following: handwritten, typed, computer generated, videotape, audiotape, film, microfilm, microfiche, e-mail and others.

Education records do not include:
- Records made by college personnel that are in the sole possession of the maker and not revealed to any other individuals;
- College police records maintained for law enforcement purposes;
- Counseling and medical records;
- Alumni records;
- Employment records (unless employed by the college as a result of their student status); and
- Application records of students who do not attend.

Educational records may be further broken down into directory information and non-directory or personally identifiable information. Directory Information includes:
- Student’s name
- Student’s address
- Student’s local telephone number
- Student’s photograph
- Student’s date and place of birth
- Student’s LSCS e-mail address
- Student’s enrollment status
- Student’s major
- Student’s degrees & awards received
- Student’s most recent previous school attended
- Student’s dates of attendance
- Student’s participation in officially recognized activities
- Residency status
- Academic level
- College

Non-directory personally identifiable information includes:
- Student identification number
- Grades/exam scores
- Grade point average
- Social security number
- Parent address/phone
- Detail of registration information (Schedule)
- Race, ethnicity, or nationality
- Gender
- Total credits
- Number of credits enrolled in that semester
- Emergency contact information

**DISCLOSING DIRECTORY INFORMATION**

Education records that consist solely of Directory Information may be released upon request as long as the student has not requested in writing that his/her Directory Information not be disclosed. The LSCS Office of Research & Institutional Effectiveness and Student Records (ORIE) maintains a list of students requesting their Directory Information not be disclosed. Any requests for directory information must be forwarded to ORIE.

In the case where a student has requested his/her Directory Information not be disclosed, the appropriate response to the requestor would be, “I have no information regarding that individual.”

**DISCLOSING INFORMATION BY STUDENT CONSENT**

Directory information does not require student consent to be released. However, a student must provide written consent before LSCS may disclose non-directory personally identifiable information from his/her education records, unless an exception applies, as stated below. The written consent must: 1) specify the records to be released; 2) state the purpose of the disclosure; 3) identify the party or class of parties to whom disclosure may be made; 4) be signed and dated by the student. The written request must be reasonably verifiable by LSCS. A student must complete a new written release for each release of non-directory personally identifiable information.

Information disclosed to third parties with student consent should contain the following notice: “This document(s) contains personal information from a student’s education records. It is protected by the Family Educational Rights and Privacy Act (20 U.S.C. 1232g) and may not be re-released without consent of the parent or eligible student.”
DISCLOSING NON-DIRECTORY, PERSONALLY IDENTIFIABLE INFORMATION

Education records that are non-directory personally identifiable information may be released without student permission under limited exceptions. These exceptions include:

- The disclosure is to LSCS officials, which may include faculty and staff, that LSCS has determined to have a legitimate educational interest in the information;
- The disclosure is to officials of other postsecondary institutions of education in which the student seeks or intends to enroll;
- The disclosure is in connection with financial aid for which the student has applied or the student has received;
- The disclosure is to authorized representatives of federal, state or local educational authorities;
- The disclosure is to organizations conducting studies for, or on behalf of, LSCS;
- The disclosure is to accrediting organizations;
- The disclosure is to parents of a dependent student that have showed verifiable proof of dependency by IRS tax statements. 34 CFR 99.10,99.31(a)(8);
- The disclosure is to comply with a judicial order, or lawfully issued subpoena;
- The disclosure is in connection with a health or safety emergency;
- The disclosure is to the student;
- The disclosure is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense;
- The disclosure is in connection with an LSCS disciplinary proceeding;
- The disclosure concerns sex offenders and other individuals required to register under state or federal law.

All requests for information under these exceptions should be forwarded to the Office of General Counsel for review.

STUDENT RIGHT TO REVIEW EDUCATION RECORDS

A student has the right to inspect and review his/her educational record within a reasonable period of time from the request. The student is allowed an opportunity to challenge and amend the contents of his/her education record, which the student considers to be in accurate, misleading or otherwise in violation of his/her privacy or other rights. Such requests should be forwarded to the ORIE. LSCS is not required to allow a student to review financial information submitted by his/her parents; confidential letters and letters of recommendation; a record which contains information about another student, however, in such cases LSCS must permit access to that part of the record which pertains only to the inquiring student.

UNLAWFUL DISCLOSURE OF NON DIRECTORY PERSONALLY IDENTIFIABLE INFORMATION

Incidents of disclosure of non-directory personally identifiable information not in compliance with this procedure must be reported the Office of General Counsel immediately and include a written report of the information disclosed, when the incident occurred, where it occurred and who was involved.