

WAC 132X-60-050 Student records. In compliance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g and its implementing regulations, 34 C.F.R. § 99, this rule has been created to provide confidentiality of student records at the college and govern the release of personally identifiable information contained within.

(1) Education records. Education records are defined as those records, files, documents and other materials containing information directly related to a student and which records are maintained by the college or by a person acting for the college.

(2) Access to education records. Students who are or have attended the college have the right to examine or review their education records, as defined above, by submitting to the registrar a written request indicating education records to which access is desired.

(3) Directory information. The following information is considered "directory information" and thus may be disclosed without consent of the student, unless otherwise directed by the student at any time, in writing, to the registrar: The student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities, organizations, and sports, weight and height of members of athletic teams, dates of attendance, academic honors, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(4) Disclosure from education records. In addition to directory information the college will, at its discretion, make disclosures from education records of students to the following listed parties without the consent of the student:

(a) To other college officials who have legitimate educational interests in the information, including the educational interests of the student for whom consent would otherwise be required;

(b) To officials of other schools or school systems in which the student seeks or intends to enroll, upon condition that the student receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

(c) To authorized federal, state, or local officials as required or authorized by law;

(d) In connection with financial aid for which the student has applied or received;

(e) To accrediting organizations, or organizations conducting studies of or on behalf of the college as qualified by FERPA;

(f) To appropriate parties in a health or safety emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons;

(g) To persons in compliance with a judicial order or a lawfully issued subpoena provided that the college first notifies the student before complying with the subpoena or court order;

(h) To parents of a dependent student as defined in 26 U.S.C. section 152, upon receipt of a written affidavit stating that the student is a dependent for income tax purposes; and

(i) To other parties authorized by FERPA to receive such information without the student's consent.

In cases where consent of the student is required for release of education records, the student shall in writing, signed and dated by the student, specify: The records to be disclosed, the purpose or purposes of the disclosure, and the name of the party or parties to whom the disclosure can be made.

When personally identifiable information is released without prior consent of the student, other than directory information and information released to college officials or the student, the college official in charge of these records will record the names of the parties who have requested information from educational records and the nature of the interest in that information.

Education records released to third parties shall be accompanied by a statement indicating that the information cannot be subsequently released in a personally identifiable form to other parties without obtaining the written consent of the student. The college is not precluded from permitting third party disclosures to other parties as permitted by law.

(5) Challenge of education records. Students who believe that information contained in their education records is inaccurate, misleading or violates the privacy of the student may request in writing to the appropriate college official that the college amend their record(s). The college official(s) will make every effort to settle disputes through informal meetings and discussion with the student.

In instances where disputes regarding contents of education records cannot be resolved by the parties concerned, the college official involved shall advise the student of the right to a brief adjudicative procedure.

Students are afforded the right to file a written complaint concerning alleged violations under FERPA by the college. The address of the office designated to investigate, process, and review violations and complaints which are filed is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202

Copies of the Federal Register pertaining to the Family Educational Rights and Privacy Act may be obtained from:

Superintendent of Documents
U.S. Government Printing Office
732 N. Capitol Street N.W.
Washington, D.C. 20402

[Statutory Authority: Chapter 28B.50 RCW and RCW 42.56.040. WSR 12-03-093, § 132X-60-050, filed 1/17/12, effective 2/17/12. Statutory Authority: RCW 28B.50.140(13). WSR 00-05-023, § 132X-60-050, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 28B.50.140. WSR 88-21-071 (Order 88-1), § 132X-60-050, filed 10/18/88.]