

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION

FROM: Central Washington State College
(Name of Institution)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 23
Emergency rules
relating to (Name of rules or description of subject matter)

Amendments to Student Records Policy, WAC 106-172,
addition of new sections, and repeal of
WAC 106-172-710, 106-172-720, 106-172-730 and
106-172-760

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 5324 (1) filed with the code reviser
on July 3, 1975 (2) were regularly adopted as permanent rules of
(date) Samuelson Union
this institution at Bldg., Room 206 on 7-28-75 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 28B.19
RCW. The effective date of such rules shall be _____ (3)

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order,
that the immediate adoption of these rules is necessary for the
preservation of the public health, safety, or general welfare and
that observance of the requirements of notice and opportunity to
present views on the proposed action would be contrary to the
public interest, were regularly adopted as emergency rules of this
institution at _____ on _____ and
(place) (date)
are herewith filed in the office of the code reviser pursuant to
chapter 28B.19 RCW.

The undersigned hereby certifies that the requirements of chapter
28B.19 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW have been fulfilled.

Dated this 30th day of July 19 75.

STATE OF WASHINGTON
FILED
JUL 31 1975
CODE REVISER'S OFFICE
DOCKET # 404 FILE # 2

Central Washington State College
(INSTITUTION)
Robert S. Miller
By
Dean of Student Development
Title

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
- ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
- ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 28B.19.050(2). Leave this space blank except in such special cases.

STATE OF WASHINGTON
CENTRAL WASHINGTON STATE COLLEGE

ADMINISTRATIVE ORDER NO. 23

(1) I, Robert S. Miller, Dean of Student Development of Central Washington State College, by virtue of the authority vested in me under chapters 34.04, 28B.19 and 28B.40.120 RCW, Central Washington State College Board of Trustees Resolution No. 71-16, and a letter of designation from the President, do promulgate and adopt the annexed amendments and new sections to the Student Records Policy, WAC 106-172, as permanent rules of this institution and do hereby repeal certain sections of that policy .

(2) This order after being first recorded in the order register of this institution shall be forwarded to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED July 28, 1975

By

Robert S. Miller
Dean of Student Development

AMD

WAC 106-172-700 PREAMBLE. (1) The purpose of WAC 106-172-700 through WAC 106-172-799 is to set forth the policies of Central Washington State College regarding maintenance and the legitimate and appropriate use of official student records developed and used throughout the various offices and units of the College.

(2) Higher education facilities of the State of Washington are concerned with the full development of the intellectual and moral potentialities of each individual student. Individual students differ with regard to their abilities, interest, background, and educational and personal goals. For these reasons data must be maintained about each student so that effective counseling and advisement may take place, progress recorded and credit awarded.

(3) All offices of the College which collect information as defined in WAC 106-172-711 (1) are given guidelines by this policy which indicate how and under what circumstances said information may be used.

(4) No provision of this policy may be so construed and is not intended to be construed as to be in violation of laws of the City of Ellensburg, County of Kittitas, State of Washington, or the United States Government.

NEW

WAC 106-172-711 DEFINITIONS.

"The College" means Central Washington State College or any office, department, or any unit thereof which maintains educational records.

"Directory Information" means the student's full name, address or addresses on file with the College, such information as is also available in the campus directory, academic major and minors, honors awarded, degrees awarded, present course enrollment, without schedule. The College shall provide the eligible student opportunity to state in writing whether directory information may be published.

"Student" means any person who has been admitted and has registered for classes at this College, presently or in the past.

"Eligible Student" means a student who has registered for classes at this College.

"Education Records":

(1) Means those records, files, documents, and other materials which:

(a) contain information directly related to a student and by which or with which a student can be identified, whether or not related to academic matters, and

(b) are maintained by the College.

(2) Does not mean:

(a) the records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker and which are not accessible or revealed to any other person except a substitute;

(b) the records of the Campus Police which are maintained separately and solely for law enforcement purposes;

(c) records of a student created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity, or assisting in that capacity, and which are created, maintained, or used only in connection with

provision of treatment to the student, and are not available to anyone other than the persons providing such treatment; provided, however, that such records can be personally reviewed by an appropriate professional of the student's choice;

(d) permanent records of the parent of the student or any information contained therein;

(e) confidential letters and statements of recommendation which were placed in the education records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended.

This provision does not prevent or prohibit the eligible student from establishing a file of confidential information and including letters of recommendation, all of which information may be transmitted only to prospective employers or their local agents, and not to the eligible student. This provision is authorized in WAC 106-172-725 (2).

"Personally Identifiable" means that the data or information includes:

(1) The name of a student, the student's parent, or other family member;

(2) The address of the student;

(3) A personal identification, such as student's social security number;

(4) A list of personal characteristics which would make it possible to identify the student with reasonable certainty; or

(5) Other information which would make it possible to identify the student with reasonable certainty.

"Record" means information or data recorded in any medium, including but not limited to: handwriting, print, tapes, film, microfilm, and microfiche.

NEW

WAC 106-172-721 NOTIFICATION BY EDUCATIONAL INSTITUTION.

(1) The College shall inform eligible students, annually, of the following:

(a) the types of education records and information contained therein which are directly related to students and maintained by the institution;

(b) the name and position of the official responsible for the maintenance of each type of record, the persons who have access to those records, and the purposes for which they have access;

(c) the policies and procedures of the College for reviewing and expunging those records, and for challenging the accuracy of them;

(d) the procedures for gaining access to the educational records;

(e) the cost, if any, which will be charged to the eligible student for reproducing single copies of records;

(f) the categories of information which the College has designated as directory information.

(2) This notice will be provided in English except when the eligible student does not speak English, in which case notice shall be provided in the language of the eligible student.

NEW WAC 106-172-725 WAIVERS. An eligible student or a person applying for admission may, but shall not be required to, waive his or her right of access to confidential statements:

- (1) respecting admission to the College,
- (2) respecting any application for employment,
- (3) respecting the receipt of an honor or honorary recognition provided that such waiver shall apply to recommendations only if:
 - (a) the student is, upon request, notified of the names of all persons making confidential recommendations and
 - (b) such recommendations are used solely for the purpose for which they were specifically intended.

NEW WAC 106-172-731 ACCESS TO EDUCATION RECORDS. The College shall provide access to the education records of students to eligible students except as otherwise limited.

The right of access shall include:

- (1) The right to inspect and review the content of education records in the presence of appropriate College personnel.
- (2) The right to obtain single copies of each record, at the expense of the eligible student but not to exceed the actual cost to the College of reproducing such copies.
- (3) The right to a response from the College to reasonable requests for explanations and interpretations of those records.
- (4) The right of an opportunity for a hearing to challenge the content and accuracy of those records.

NEW WAC 106-172-735 RECORD OF ACCESS. (1) The College shall maintain a record which will indicate all parties who have been granted access and which will indicate specifically the legitimate interest that each such party has in obtaining this information.

(2) Such record of access shall be kept with the education records of the student and shall be available only to eligible students and other authorized persons.

AMD WAC 106-172-740 INFORMATION NOT TO BE REQUIRED. (1) The College shall not require from any student the following information, for purposes of record:

- (a) religious affiliations or religious/ethical value systems;
- (b) political affiliations or views;
- (c) membership status in any organization not directly connected with recognized educational functions of the College;
- (d) ethnic background.

(2) The College shall enable the student to record this information if he or she should desire.

NEW WAC 106-172-761 RIGHT TO A HEARING. (1) The College shall provide eligible students an opportunity for a hearing by

the College to challenge the content of such student's education records in order to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction of any such inaccurate, misleading or otherwise inappropriate data contained therein and to insert into such records a written explanation by the eligible student respecting the content of such records.

(2) Whenever possible the College shall attempt to settle such disputes through informal proceedings.

(3) It shall be incumbent on the Associated Student of Central to insure that information printed in the Campus Directory appears there only with each student's written permission.

(4) When requested by either party, a formal hearing regarding education records will be held under provisions of the Academic Grievance Procedure of the Faculty Senate of Central Washington State College.

NEW

WAC 106-172-770 CONSENT AND CONFIDENTIALITY. (1) Information personally related to individual students which is not considered directory information shall not be given to anyone except for all lawful or customary uses of data and information required in maintaining the ordinary functioning of the College.

(2) Any student may grant permission for use of information about himself or herself by giving specific permission in writing, signed and dated by the student giving such consent. Such consent shall include:

- (a) a specification by title of the records released;
- (b) the reasons for such release, and
- (c) the names of the parties to whom such records will be released.

(3) The College will respond to any personal subpoena and/or subpoena duces tecum, when lawfully prepared and served upon the College or an appropriate administrator of the College. The College will notify the student by Certified or Registered mail to the address or addresses on file with the College of any such subpoena. This notice will be sent to the student in advance of compliance with the subpoena.

NEW

WAC 106-172-772 RELEASE OF INFORMATION FOR HEALTH OR SAFETY EMERGENCIES. (1) The College (President or his designee, Dean of Student Development) may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

(2) The factors which should be taken into account in determining whether records may be released shall include:

- (a) the seriousness of the threat to the health or safety of the student or other persons;
- (b) the need for such records to meet the emergency;
- (c) whether the persons to whom such records are released are in a position to deal with the emergency; and
- (d) the extent to which time is of the essence in dealing with the emergency.

NEW

WAC 106-172-775 LIMITATION ON LIABILITY. The College shall not be liable for student records when information available only from the student is not provided initially or kept up to date by the student. This provision shall apply when the College has made adequate provision for supplying the information.

REP

WAC 106-172-710, WAC 106-172-720, WAC 106-172-730, WAC 106-172-760 are each hereby repealed.