

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

Reading Area Community College has adopted a policy to uphold the provisions of the Family Educational Rights and Privacy Act of 1974. This federal law guarantees the confidentiality of students' education records, establishes the right of students to inspect and review their records, and provides for the hearing of complaints pertaining to alleged, inaccurate or misleading information in the education records. In compliance with the Act, the College has prepared this policy statement to inform students of their rights under the Act and describe the procedures in effect for reviewing records and hearing complaints.

The College accords all rights under this law to eligible students attending the institution. An eligible student is defined as one who is eighteen years of age or is attending an institution of post-secondary education; in either event, the student receives less than half of his or her support from a parent or guardian. Education records maintained by the College will be treated confidentially. No person outside the College, including the parents of eligible students, will be permitted access to such records without the student's written consent. Nor will the College disclose any information from a student's education records unless authorized by a written request from the student. Records of such authorized disclosures will be maintained by the College and will list the parties who have requested and obtained access to student records as well as the legitimate reasons for gaining access. Records of disclosures may be inspected by students.

Under the law, education records can be released without the student's consent to certain individuals in specific circumstances. Such individuals include: officials of another educational institution in which the students seek enrollment; representatives of the federal, state, and local educational agencies which require the reporting and disclosure of information; officials who determine the eligibility for and amount of financial aid for students; organizations conducting studies for educational agencies or institutions to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction; accrediting associations while carrying out their accrediting functions; persons who are complying with a judicial order or subpoena; and persons who would protect the health or safety of students and other individuals in an emergency.

Within the College itself, education records are accessible and may be disclosed without the student's written consent to other staff members who have legitimate educational interest in the students. Such staff members include personnel in the offices of Student Services, Financial Aid, Admissions, Veterans Services, Administrative Services, Cooperative Education, Career Services, and the appropriate individual faculty members.

The College may designate certain personal information from student education records as Directory Information and may disclose such information at its discretion. However, the College will not release such information for commercial use. Directory information consists of: the student's name, address, telephone number, date and place of birth, major field of study, participation of officially sanctioned activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and honors received, and the most previous school or college attended by the student. Students may request

that any or all of this Directory Information be withheld by notifying the Vice President for Enrollment Management/Student Services, in writing, within two (2) weeks after the first day of class in the fall semester. Requests for nondisclosure of Directory Information will be honored for one (1) academic year only, and must be filed annually at the Records Office.

Besides guaranteeing the confidentiality of student records, this law also gives students the right to inspect and review their education records, challenge the contents of these records, have a hearing should the student find the outcome of the challenge unsatisfactory, and add explanatory materials to their records should the outcome of the hearing prove unacceptable. The Vice President for Enrollment Management/Student Services at Reading Area Community College is in charge of coordinating the inspection and review procedures for student education records, which includes admissions, financial, academic, personal files, cooperative education, and placement records. Students who wish to review their records may do so by visiting the Records office and requesting to see their records file. The file will not be given to the student for review until the student provides his RACC ID card to a professional staff member in the Records Office or the Vice President for Enrollment Management/Student Services. The file may not be removed from the office; the student must review all records in the office to determine if any documents need to be photocopied. Any copies the student requests must be paid for by the student at the prevailing rate of the campus copiers. Under no circumstances, can any document (original or otherwise), in the student's records file be given to the student.

Students may not inspect or make copies of: financial records and statements submitted by their parents; confidential letters of recommendations placed in the student's file prior to January 1, 1975; and transcripts or reproductions of a document that exists elsewhere in the original. Education records do not include: records of instructional, supervisory, and administrative personnel which are in the sole possession of the maker and are not accessible to any other individual, except one who serves as a temporary substitute for the original maker; records of a law enforcement unit; employment records (excluding work-study employment); alumni records; and student health records. However, health records may be reviewed by a physician of the student's choice. Also, in the case of records containing information on more than one student, an individual student will be permitted access only to that part of the record pertaining to the inquiring student.

After inspection of their records, students who feel that the information in their files is inaccurate, misleading, or violating their privacy or other rights may request that the records be amended. Students should first discuss the problematic information with the Vice President for Enrollment Management/ Student Services. Should their requests be upheld, then the appropriate records will be amended. If not, students will be advised within a reasonable time period that the records in question will not be amended and that they have the right to a formal hearing. Students must then request a formal hearing, in writing, from the Vice-President of Academic Affairs/Provost. Students will be informed of the date, place, and time of the hearing within a reasonable period of time, in advance, by the Academic Affairs Office. Students are guaranteed a full and fair opportunity to

present evidence relevant to the issue at hand and may be assisted or represented by individuals of their own choosing, including an attorney, at their own expense. The hearing panel will be composed of disinterested and impartial College officials under the leadership of the Vice President of Academic Affairs/Provost.

The decision of the hearing panel will be made within a reasonable period of time and will be based solely upon the evidence presented at the hearing. This decision will be in writing and will be circulated to the parties concerned. It will include a summary of the evidence and reasons leading to the decision. Should the decision favor the students, the education records will be amended or corrected in compliance with the recommendations of the hearing panel. If the hearing panel finds the information to be neither inaccurate nor misleading, the students may place in their education records a statement commenting upon the information and explaining any reasons for disagreeing with the decision of the hearing panel. Any information placed by students in their files under these circumstances will be maintained as part of the student's records and will also be disclosed when the records in question are disclosed.