

## CHAPTER 2: Student Affairs

### Policy 2A.1: Data Practices

The Family Educational Rights and Privacy Act (FERPA) and the Minnesota Government Data Practices Act, (MGDPA) Minnesota Statute (Chapter 13), are federal and state laws that provide for the disclosure and privacy of student educational records. In accordance with these and other applicable laws, Anoka-Ramsey Community College has adopted the following policy:

#### Definitions:

- A *student* is an individual who is currently enrolled at Anoka-Ramsey Community College. Those seeking enrollment (applicants) and former students (alumni) are included in this definition for the purpose of this policy. All students have the same rights regarding their educational data irrespective of age.
- Educational records *are those records directly related to a student and maintained by Anoka-Ramsey. Records in the sole possession of the maker and are not accessible or revealed to any other individual, and are destroyed at the end of the school year, are not deemed educational records.*
- A *school official* is a person employed by *Anoka-Ramsey* in an administrative, supervisory, academic or support staff position; a person or company with whom *Anoka-Ramsey* has contracted; a person serving on the Board of Trustees or in the Office of the Chancellor; or a person assisting another school official in performing his or her tasks. A school official has *legitimate educational interest* if the official needs to review an educational record in order to fulfill his or her professional responsibility.
- Directory information *is information not generally considered harmful or an invasion of privacy if disclosed to the public.*

#### Student Rights Under FERPA and MGDPA:

1. A student has a right to inspect and review his or her educational records. Requests should be made in writing to the custodial office of such records (Records Office for registration records, Financial Aid Office for financial aid records, etc.) Anoka-Ramsey will provide access to view educational records within ten days of the student's request. A student requesting a copy of his or her educational records will be assessed the cost according to the college fee rates.
2. A student has a right to consent to disclosures of information, which identify him or her personally, except to the extent that these disclosures are allowed without student consent under state and federal law.
3. A student has the right to request that the custodial office correct educational records, which he or she believes to be inaccurate or misleading. If the custodial office decides not to amend the record, the student then has the right to petition the amendment of educational records to the Data Privacy Coordinator. If after the petition review, Anoka-Ramsey still decides not to amend the record, the student has the right to place a statement within the record setting forth his or her view about the contested information.

Note: The right to challenge a grade does not apply under this policy unless the grade assigned was allegedly inaccurately recorded.

4. A student has a right to file a complaint with the United States Department of Education if he or she believes that Anoka-Ramsey is not meeting the requirements of the federal law. Written complaints should be sent to: Family Policy Compliance Office, U.S. Dept. of Education, 600 Independence Ave. SW, Washington, D.C. 20202-4605.

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### **Consent for Release:**

Anoka-Ramsey Community College will not permit access to or the release of personally identifiable information contained in student educational records without the written consent of the student to any third party, except as authorized by FERPA and MGDPA or other applicable law. A student may grant consent by completing an Informed Consent Release Form.

### **Release without Consent:**

As allowed under FERPA and MGDPA, Anoka-Ramsey Community College has the right to release student records without consent. Examples of release without consent include:

- To appropriate school officials with a legitimate educational interest.
- To specified officials for audit, accrediting or evaluation purposes.
- To appropriate parties in connection with providing financial aid to a student.
- To appropriate officials in cases of health and safety emergencies.
- To state and local authorities, within a juvenile justice system, pursuant to specific state law.
- To comply with a judicial order or lawfully issued subpoena.
- To military recruiting personnel, under the Solomon Amendment of the National Defense Authorization Act, in addition to directory information, Anoka-Ramsey must disclose, address, telephone number, previous school of enrollment and date of birth.
- To another educational agency or institution, where a student is enrolled and/or receiving services, while also enrolled or receiving services at Anoka-Ramsey.
- To the public, Anoka-Ramsey has the authority to release information classified as directory information and includes the following:
  - Name
  - Date of birth
  - College-issued email address (effective May 16, 2005)
  - Major field of study
  - Enrollment status (fulltime/part-time)
  - Dates of enrollment or graduation
  - Degrees, honors and awards received
  - Height and weight of athletes
  - Photographs (for public relations and security purposes only, approved by the Director of Public Relations and the Director of Public Safety respectively)
  - Participation in officially recognized activities, programs and sports

Note: A student may direct that any or all of the directory information be withheld from public disclosure by notifying the Records Office in writing. Students who request that directory data be restricted, should be advised that this will remain in effect until the student officially requests in writing to the Records Office that this restriction cease. This restriction will remain in effect after a student graduates or ceases to be enrolled at Anoka-Ramsey Community College.

For questions concerning your rights, please contact:

Data Practices Compliance Officer: Marilyn Smith

Employee Data Privacy Designee: Darren Hoff

Student Data Privacy Designee: Lisa Harris

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Data Security/Breach Designee: Kim Lynch

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### History:

- 01.2003 Adopted policy.*
- 11.2004 Added "college-issued e-mail address"*
- 06.2010 Added 'Date of birth' to directory information and clarification to enrollment status and photographs*
- 05.2012 Removed "Dates, position and wage rate of student employment" per MnSCU and updated DPC Contacts.*