

STUDENT RECORDS AND PRIVACY ACT

Definitions

For the purposes of this policy, Mt. San Jacinto College (MSJC) uses the following definitions of terms:

- Student – any person who attends or has attended Mt. San Jacinto College (MSJC)
- Education records – any record (in handwriting, print, tapes, film, photograph or other medium) maintained by MSJC or any agent of the college that is directly related to a student, except:
 - a. A personal record kept by a staff member, if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker's temporary substitute;
 - b. An employment record of an individual, whose employment is not contingent on the fact that they are a student, provided the record is used only in relation to the individual's employment;
 - c. Records maintained by MSJC security if the record is maintained solely for law enforcement purposes, is revealed only to law enforcement agencies of the same jurisdiction and does not have access to education records maintained by the college;
 - d. Records maintained by health services if the records are used only for treatment of a student and made available only to those people providing the treatment; and
 - e. Alumni records containing information about a student after they are no longer in attendance at the college and the records do not relate to the person as a student.

Inspect Records

Procedure to Inspect Records

Students may inspect and review their education records upon request to the appropriate record custodian. Students should submit to the record custodian or an appropriate college staff person a written request identifying as precisely as possible the record or records they wish to inspect.

The record custodian or an appropriate college staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be within forty-five (45) days from the receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records that relate to them.

Access

Right to Refuse Access

MSJC reserves the right to refuse student access to the following records:

- The financial statement of the student's parents;
- Letters and statements of recommendation for which the student has waived their right of access, or which were placed in the file before January 1, 1975;

- Those records which are excluded from the FERPA definition of education records.

Copies

Refusal to Provide Copies

MSJC reserves the right to deny transcripts or copies of records not required to be made available by FERPA in any of the following situations:

- The student lives within commuting distance of the college;
- The student has an unpaid financial obligation to the college;
- There is an unresolved disciplinary action against the student.

Fees for Copies of Records

The fee for copies will be 10¢ per page. The cost of a subpoena is \$15.

Correction of Records

Any student may file a written request with the Superintendent/President to correct or remove information recorded in his student record which they allege to be inaccurate; an unsubstantiated personal conclusion or inference; a conclusion or inference outside of the observer's area of competence; or not based on the personal observation of a named person with the time and place of the observation noted.

Within thirty (30) days of receipt of such request, the Superintendent/President or his designee shall meet with the student and the certificated employee who recorded the information in question, if any, and if such employee is presently employed by the college.

The Superintendent/President or his designee shall then sustain or deny the allegations. If the Superintendent/President or his designee sustains any or all of the allegations, he shall order the correction or removal and destruction of the information.

If the Superintendent/President or his designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may, within thirty (30) days of the refusal, appeal the decision in writing to the Board of Trustees.

Within thirty (30) days of receipt of such an appeal, the Board of Trustees shall, in closed session with the student and the certificated employee who recorded the information in question, if any, and if the college presently employs such employee, determine to sustain or deny the allegations.

If the Board of Trustees sustains any or all of the allegations, it shall order the Superintendent/President or his designee to immediately correct or remove and destroy the information. The decision of the Board of Trustees shall be final. If the final decision of the Board of Trustees is unfavorable to the student, or if the student accepts an unfavorable decision by the Superintendent/President, the student shall have the right to submit a written statement of his objections to the information. This statement shall become a part of the student's records until such time as the information objected to is either corrected or removed.

Documentation Notice

Every effort is made to accurately record all student transactions. However, in case of an error in records, it is the student's responsibility to present receipts and official copies of other pertinent documents in order to obtain adjustments in college records. Students are urged to retain all

receipts, registration statements, printed schedules, and other college documents in a safe place for future reference.