

STUDENT RECORDS PRIVACY POLICY

Policy:	Student Records Privacy Policy
Policy Owner:	Registrar
Change Management	
Original Implementation Date:	3/7/2018
Effective Date:	3/7/2018
Revision Date:	
Approved By:	Executive Staff

PURPOSE

To provide guidance to Pomona College, Students, Parents, Faculty, and Staff on the student records protections of the Family Educational Rights and Privacy Act (FERPA). FERPA assigns rights to students and responsibilities to educational institutions regarding students' education records. FERPA governs the maintenance and release of information from those records.

This policy focuses on the privacy of student records as it relates to students, parents of students, and Pomona College faculty and staff.

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DIRECTORY INFORMATION

Only those records defined as “Directory Information” may be released without the express written permission of the student. Directory Information includes:

- ❖ A student's full name
- ❖ Mailing and permanent address(es) and telephone number(s)
- ❖ Email address(es)
- ❖ The fact that the student is or has ever been enrolled
- ❖ Enrollment status (e.g., full-time, half-time or less than half-time)
- ❖ Class level
- ❖ Major/minor
- ❖ Dates of attendance
- ❖ Degrees, honors or awards received
- ❖ Cumulative credit hours
- ❖ Participation in officially recognized activities
- ❖ Weight and height of members of athletic teams

No other information contained in a student's educational records may be released to persons or organizations without the student's prior written approval.

STUDENT RECORDS PRIVACY POLICY FOR STUDENTS

Pomona College is committed to the privacy and security of its students. Pomona College policies support the College's compliance with the [Family Educational Rights and Privacy Act of 1974 \(FERPA\)](#) - sometimes called the Buckley Amendment - which establishes students' rights and institutions' responsibilities regarding the privacy of education records.

STUDENT RIGHTS UNDER FERPA

FERPA affords current or former Pomona College students ("hereinafter "Students") the following rights regarding their education records:

- ❖ The right to inspect and review their records
 - Current or former students may request to review their records by submitting a written request to the Registrar or other school official having custody of such records; the form is available from the Registrar's office.
- ❖ The right to seek amendment of their records which they believe are inaccurate, misleading, or otherwise in violation of their privacy rights
 - Requests for amendment of records must be in writing and must describe the specific portions of specific records that Students wish to have amended, text or instructions as to the change desired, and the reasons why the change is justified.
- ❖ The right to restrict the disclosure of Directory Information
- ❖ The right to file a complaint with the Department of Education's Family Policy Compliance Office concerning alleged failures by Pomona College to comply with the requirements of FERPA

The College will generally respond to reasonable requests for review and inspection within 45 days of a request. Students, however, do not have the right to inspect certain documents under FERPA, including, but not limited to:

- Financial records of their parents
- Confidential letters and statements of recommendation, where the Student has waived the right to review and inspect those documents and they are related to the Student's admission, application for employment, or receipt of an honor or honorary recognition.

DEFINITION OF EDUCATION RECORDS

Education records include records in any medium, which directly relate to a Student who is or has been in attendance at Pomona College and maintained by Pomona College. These routine records include, but are not limited to, grades, transcripts, student course schedules, student financial information, and student discipline files.

Offices maintaining portions of each student's education record are:

- ❖ The Dean of Students Office
- ❖ Offices within Student Affairs
- ❖ Admissions
- ❖ The Office of Financial Aid
- ❖ The Registrar
- ❖ The offices of each relevant academic department
- ❖ The Office of Alumni and Parent Engagement
- ❖ The Finance Office



- ❖ The Dean of the College's Office
- ❖ Human Resources
- ❖ The Office of Advancement
- ❖ The Athletics Department
- ❖ The Writing Center
- ❖ The Quantitative Skills Center

In addition, the following Claremont University Consortium offices (Black Student Affairs, Campus Safety, Chicano/Latino Student Affairs, Health Education Office, Library, Monsour Counseling Center, Student Health Services, and Student Disability Resource Center) may also maintain portions of a student's education record.

Students who have questions about information in any of these files should see the managers/directors of the offices involved.

RELEASE OF EDUCATION RECORDS

Except as provided in FERPA (see below) or other applicable law, Pomona College will not disclose personally identifiable information from education records unless the Student provide a written release to Office of the Registrar, or third-party designee¹ containing:

- 1) What information is to be released
- 2) To whom the information is to be released
- 3) The purpose for which it is to be released
- 4) Student's authorizing signature and the date signed

The College maintains a record of each request for access to and each release of personally identifiable information from a student's education records. Exceptions to this requirement include disclosures to a College official², a parent or student, a person with written consent, or a person requesting directory information, and disclosures in connection with a grand jury or other law enforcement subpoena prohibiting disclosure of its existence or contents or an *ex parte* court order.

Pomona College may outsource some operations requiring the disclosure of information from education records. Providers of such services include the National Student Clearinghouse. College officials, including contracted service providers, who receive education records must comply with all FERPA regulations regarding re-disclosure and the privacy of such education records.

Faculty and staff are responsible for protecting the identity of students and keeping student grades confidential. Grades or evaluations linked to personal identifiers (names, Pomona College ID numbers, or social security numbers) may not be publicly disclosed. Grades or evaluations may be publicly posted only by using randomly generated codes or numbers. The return of graded papers or other assignments must also be accomplished in a manner that protects Student identities.

Some records created and maintained by the College, although not covered by FERPA, may be subject to other federal and state laws or regulations regarding disclosure.

¹ Third-party designee may include a secure web portal service to facilitate release of student records.

² College officials may include, but are not limited to, employees, faculty, staff, trustees, counsel, designated representatives of Pomona College, The Claremont Colleges and Claremont University Consortium, and contracted agents and agencies of the College.



There are specific FERPA exceptions to use and disclosure restrictions. Situations where Pomona College may disclose student information without an authorization are as follows:

- To officials of another school where the student seeks, intends, or has enrolled;
- In connection with the student's request for or receipt of financial aid;
- To certain federal, state or local government authorities in connection with the audit or evaluation of educational programs (these government authorities may further disclose information to outside entities that are designated by them to conduct any audit, evaluation or enforcement or compliance activity on their behalf);
- To U.S. military recruiters;
- To certain entities conducting studies or audits on behalf of the College, by federal, state, or local education authorities, or by professional and other educational organizations;
- In compliance with court orders and subpoena;
- Where health and safety are at risk or in the event of student status changes;
- When violations to federal, state, or local regulations have occurred and violations to institutional policy have been determined in regard to crimes of violence or non-forcible sex acts and, for students under the age of 21, the use or possession of alcohol or other controlled substances; and
- Per additional contingencies set forth in FERPA.

DIRECTORY INFORMATION RESTRICTION

Students may choose to restrict release of their Directory Information. When the release of Directory Information is restricted, the fact that a Student is currently a student, or whether they have ever been enrolled at Pomona College, will not be released.

Once a Student restricts the release of Directory Information, in order to conduct any business with the College, they will need to go in person to the office involved, with photo ID, or, contact the relevant office via mail or fax, provided a written request for release containing the following:

- 1) What information is to be released
- 2) To whom the information is to be released
- 3) The purpose for which it is to be released
- 4) Student's authorizing signature and the date signed

No information will be provided via telephone. No information will be provided to anyone - parents, relatives, friends, other students, or prospective employers - who may wish to contact Students or verify a Student's status at the College, without a written release from the student containing the elements listed above.

Restricted Directory Information is made available only where there is a significant health or safety concern, where an emergency has occurred, at the direction of a court order, or to Pomona College or other Claremont College staff and faculty with a legitimate educational need to know.

The restriction of information is permanent until requested, in writing, that it be removed. Restrictions will remain in place even after a student has stopped attending or have graduated.

REQUESTING WRITTEN OR VERBAL REFERENCES OR RECOMMENDATIONS FROM FACULTY OR STAFF



Students who request written or verbal references or recommendations from Pomona College faculty or staff members need to do so in writing. Such letters or statements are most effective if they contain specific information about their academic or work performance; this type of information is considered "non-directory" information and cannot be released without the signed written consent of the student.

The Office of the Registrar has prepared a FERPA-compliant authorization to release form (the Student Reference Request Form) that may be used when requesting references/recommendations (available from the Registrar's website). The completed and signed Student Reference Request Form may be mailed, faxed, or sent as a PDF to the faculty or staff member from whom the reference/recommendation is being requested.

Your request should contain the following:

- ❖ What information is to be released (be as specific as possible)
- ❖ To whom the information is to be released (name, address)
- ❖ The purpose of the release of the information (application for a specific job or admission to a graduate program, for example)
- ❖ Student's authorizing signature and date

Requests that do not contain these four elements are not in compliance with FERPA.

Some graduate programs, scholarships or job applications require the use of their own prepared packets and may include a form which provides a place for a Student's signature authorizing release of non-directory information. If that completed form or a copy of it always accompanies the pages to be completed by Pomona College faculty or staff members, no additional authorization is required.

STUDENT RECORDS PRIVACY POLICY FOR PARENTS

PARENT RIGHTS

Once a student has reached age 18 or is attending Pomona College, all FERPA rights belong to the student. Parent access to education records is limited to information classified as Directory Information, except where a student has placed restrictions on access to directory information.

Parental access to other education records is allowed when the Student provides the College with a signed and dated release specifying the records to be disclosed, stating to whom they should be disclosed and the purpose of the disclosure. Each instance of release of non-Directory Information requires its own separate and specific written authorization to release, except where release of information is necessary to address cases of significant health or safety concern, or in the event of an emergency.

Parents are encouraged to read the Privacy Policy information provided for students, located above.

FOR FAMILIES SEEKING TO CONTACT THEIR STUDENTS

If a parent, guardian, or other family member needs assistance in contacting a Pomona College student in an emergency or otherwise urgent circumstance, they should contact Campus Safety at 909-621-8017, and request to speak to the on-call dean. The on-call dean can help families connect with their students in emergency circumstances. This service is available 24-7.

PUBLIC HEALTH OR SAFETY ELEVATED RISK SITUATIONS AND EMERGENCIES

Disclosure of information from education records is allowed under this Policy and FERPA in connection with a significant health or safety concern or emergency, if the information is necessary to protect the health or safety of the student or others. Factors Pomona College considers in determining whether to make the disclosure include:

- ❖ The seriousness of the threat to health or safety;
- ❖ The need for the information to address the situation and support the student;
- ❖ Whether the individual(s) to whom the information is released is in a position to deal with the situation; and
- ❖ The extent to which time is of the essence.



STUDENT RECORDS PRIVACY POLICY FOR FACULTY AND STAFF

Pomona College, in compliance with the FERPA, is responsible for monitoring access to and release of information from student education records. Staff and faculty with access to student education records are legally responsible for protecting the privacy of the student by using information only for legitimate educational reasons to instruct, advise, or otherwise assist students. FERPA also assures certain rights to students at the College regarding their education records. These rights do not transfer to parents, guardians, spouses or other family members without the specific written permission of the student.

CODE OF RESPONSIBILITY FOR SECURITY AND CONFIDENTIALITY OF RECORDS AND FILES

Security and confidentiality are matters of concern to all Pomona College employees and to all other persons who have access to education records. The purpose of this Code is to clarify responsibilities in these areas. Each individual who has access to confidential information is expected to adhere to the regulations stated below. A person who has access to education records may not:

- ❖ Reveal the content of any record or report to anyone, except in the conduct of his or her work assignments and in accordance with Pomona College policies and procedures
- ❖ Make or allow any unauthorized use of information
- ❖ Knowingly include false, inaccurate or misleading entry in any report or record
- ❖ Knowingly expunge a data record or a data entry form and record, report or file
- ❖ Share individual passwords with any other person (for password protected data)
- ❖ Seek personal benefit or allow others to benefit personally from the knowledge of any confidential information they have acquired through work assignments
- ❖ Remove any official record or report, or copy of any official report, from the office where it is maintained, except in the performance of official duties

Any knowledge of a violation of this code must be reported immediately to the violator's supervisor. Violations may lead to disciplinary action, including dismissal. Violations can also lead to action under the State of California statutes pertaining to theft, invasion of privacy or other applicable sections.

FACULTY AND STAFF RESPONSIBILITY

Faculty and Staff are responsible for protecting the education records they store about students enrolled in their classes. The fact that the student is registered for a class is non-directory information; thus, Faculty and Staff may not release a class list or even a single student's name to a third party. Other non-directory information one might maintain about students in a class includes class attendance records, quizzes and exams grades, homework, etc. All of these records are considered education records, and must be protected.

Pomona College staff and faculty members performing instructional, supervisory, advisory, or administrative duties for Pomona College are considered to have a legitimate educational need for access to student data for students for whom they are performing these functions. Individuals without legitimate educational interest must present an appropriate written signed and dated authorization for release from the student, which must include:

- 1) The specific information to be released
- 2) The person or class of persons to whom the information is to be released, and



- 3) The purpose for which the information is to be released, OR a valid subpoena or court order. If presented with a subpoena or court order, faculty and staff are to contact the Pomona College Registrar immediately.

The Pomona College Registrar (for academic records), and/or Dean of Students (for disciplinary records), in consultation with the College's legal counsel, determines validity of and extent of compliance with subpoenas and court orders. Accordingly, Faculty and Staff should always contact the Registrar when presented with a subpoena or court order as soon as possible. If in doubt, it is always wiser to err on the side of caution than to release information that may constitute a FERPA violation.

When responding to an inquiry about a student, staff and faculty must determine whether the student has placed a restriction on his/her record. If a student has filed a restriction, records are marked as confidential. An appropriate response to an inquiry about a student with a directory restriction is "I'm sorry, I have no information for a person (or individual) by that name." **Note: Use of the term "student" in your response is not permitted under FERPA regulations.** You may not respond to the inquiry by indicating that the person has restricted the release of his/her directory information.

POSTING OF GRADES

Faculty and staff are responsible for protecting the identity of students and keeping student grades confidential. Grades or evaluations linked to personal identifiers (names, Pomona College ID numbers, or social security numbers) may not be publicly disclosed without specific permission from the student as described above. Without student permission, grades or evaluations may be posted, whether on office doors or on websites, only by using randomly generated codes or numbers. Graded papers, exams, quizzes and other assignments are considered part of the student's education record, and must be returned to the student in a manner designed to maintain confidentiality.