

Policies and Procedures For Privacy Of Student Educational Records

To comply with requirements of the *Family Educational Rights and Privacy Act of 1974* (FERPA), Wallace Community College has established the following policies and procedures. Wallace Community College accords all rights under the law to students who are declared independent. For the purpose of this policy, whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student. Responsibility for protection of the privacy of student educational records rests primarily with the Director of Enrollment Services/ Registrar. Educational records are defined by FERPA to include records, files, documents, and other materials that contain information directly related to students and are maintained by an educational agency or institution or by a person acting for such agency or institution. Six exceptions to this definition of educational records are published in the *2012 FERPA Guide*, a publication of the American Association of Collegiate Registrars and Admissions Officers.

Education records *do not* include:

1. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except temporary substitute for the maker of the record.
2. Records of the law enforcement unit of an educational agency or institution, subject to the provisions of §99.8.
3. Records relating to an individual who is employed by an educational agency or institution, that:
 - a. are made and maintained in the normal course of business;
 - b. relate exclusively to the individual in that individual's capacity as an employee; and
 - c. are not available for use for any other purpose. (N.B. Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted under paragraph (b) (3) (i) [see page 154] of this definition.)
4. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - a. made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity;
 - b. made, maintained, or used only in connection with treatment of the student; and
 - c. disclosed only to individuals providing treatment. For the purpose of this definition, "treatment" does not include remedial educational activities that are part of the program of instruction at the agency or institution.
5. Records created or received by an educational agency or institution after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.
6. Grades on peer-graded papers before they are collected and recorded by a teacher.