

Aims Community College

Notification to Students of Privacy Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Aims Community College (hereafter referred to as “the college”) receives a request for access. A student should submit to the Records Office a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask the college to amend a record should write the Records Office, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the college decides not to amend the record as requested, the college will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the college discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The college discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official typically includes a person employed by the college in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the college who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school

official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the college.

Upon request, the college also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the institution states in its annual notification that it intends to forward records on request or the disclosure is initiated by the student.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of
Education 400 Maryland
Avenue, SW Washington,
DC 20202

In addition, see the list below of the disclosures that postsecondary institutions may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within [School] whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State- supported education programs, or for the

enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as “directory information” under § 99.37. (§ 99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§ 99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

Release of Information

Except as described below, the release of student education record information to third parties requires written and signed permission of the student regardless of age. The following

data are considered Directory Information and may be disclosed by the College in response to inquiries concerning students whether the inquiries are in person, in writing, via e-mail, or over the telephone.

1. Student Name
2. Enrollment Status (E.g., Full Time, Three-Quarters Time, Half Time, etc.)
3. Dates and Terms of Enrollment at Aims Community College.
(This does not include individual course attendance.)
4. Major Fields of Study.
5. Degree(s) and/or Certificate(s) Earned.
6. Honors or Awards Received

Addresses (including e-mail) are considered personally identifiable information and are not released as Directory Information except for the following:

1. Graduation lists released to news media, which may include the student's city of residence.
2. Other listings to the news media and college personnel for special awards, honors, and events.

Written consent from/by the student for release of education records or Personally Identifiable Information shall not be required for the following parties or instances:

1. School officials with legitimate educational interests. A "school official" is a person employed by Aims Community College; a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a "legitimate educational interest" only if the official needs to review the education record in order to fulfill his or her professional responsibilities for the College.

2. Officials of other schools or colleges where the student intends to enroll.

3. State and local educational authorities in connection with an audit or evaluation of Federal or State supported education programs.

4. Persons or organizations providing financial aid to students or determining financial aid decisions on the condition that the information is necessary to:

- a. determine eligibility for the aid,
- b. determine the amount of aid,
- c. determine the condition for aid, or
- d. enforce the terms and conditions of the aid.

5. Organizations conducting studies for, or on behalf of, the college.

6. Accrediting organizations.

7. Parents of a dependent child as defined by Internal Revenue Code of 1986, Section 152, and as certifiable with notarized documents.

8. In compliance with judicial order or lawfully issued subpoena, including ex parte orders under the USA Patriot Act of 2001.

9. In case of emergency to protect the health or safety of the student or other persons.

10. Military recruiters who (as mandated by the Solomon Amendment of 1997) have access to name, address, telephone number, date of birth, level of education, and educational institution most recently attended in addition to Directory Information listed above.

11. State and local authorities, within a juvenile justice system, pursuant to C.R.S. 24-72-204.

Currently enrolled students may request the college prohibit the release of Directory information through the submission of a Request for a Non-Disclosure of Directory Information form. To be accepted, this form must have all statements initialed and include the student's signature.

- If this form will be submitted in person, the student making the request must bring the completed form to the Student Records and Enrollment Office along with a valid, government-issued ID to prove their identity.
- If this form is to be submitted via mail, please send to Student Records and Enrollment Office 5401 W. 20th St. Greeley, CO 80634 and the form must also be legally notarized. The Request for a Non-Disclosure of Directory Information form will go into effect no later than 48 hours after the Student Enrollment and Records representative has received the form.

Aims Community College assumes no liability which may arise from compliance with a request to prohibit the release of Directory information. Questions regarding any release of information or pertaining to a Request for a Non-Disclosure of Directory Information form should be directed to the Student Enrollment and Records Office.