

Revision Responsibility: Vice President for Student Affairs  
Responsible Executive Officer: Vice President for Student Affairs

Source/Reference: TBR Policy 03:02:03:00  
TBR Guideline S-020  
TCA 10-7-504  
Family Education Rights and Privacy Policy

Approved by: 

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## **PURPOSE**

To protect the confidentiality of all student educational records in compliance with the Family Educational Rights and Privacy Act of 1974 ("FERPA").

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## **POLICY**

Walters State Community College, "the Institution", recognizes the rights of students to have access to their records and will make no unauthorized disclosure of student records, as required by FER PA and the Tennessee Board of Regents Policy 03:02:03. Students will be notified of this policy and their rights under FERPA each semester via an email sent to the students' WSSC email account.

Education records do not include: (1) records that are kept in the sole possession of the maker, including private notes of faculty used for consultation to set final grades, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record. (2) records maintained by law enforcement personnel solely for law enforcement purposes; (3) employment records (except those of student employees); (4) medical, psychological and psychiatric records (these are accessible by the student's physician); or (5) records such as alumni records created or received after an individual is no longer a student in attendance that are not directly related to the individual's attendance as a student.

Student - For all non-disciplinary purposes, a student is any person who is or has been enrolled (registered for at least one class in any form of course delivery) at the Institution. An applicant who does not enroll or who is declared ineligible has no inherent right to inspect his/her file.

Directory Information - Directory information includes a student's name, major field of study, dates of attendance, current enrollment status (full or part time), e-mail address, address, date of birth, receipt or non-receipt of a degree, and awards received. For athletes participating in officially sanctioned sports, Directory Information also includes hometown, high school, height, class and athletic awards.

Access - To have access to an Education record is to be allowed to see the original record. It implies the right to obtain copies of that record.

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Opt-out - Student may request their directory information not be released by completing a request for "Exclusion of Directory Information" form in the Enrollment Development or Student Records Offices. The form is also available on each Departments' webpages. This notification remains effective until such time the student revokes the restriction in writing. Students may not use the right to opt out of directory information disclosures to prevent the use of the student's name or other identifier in the classroom.

Records of students and former students are protected for confidentiality except as listed under "Exceptions" in this Policy

## **I. Release Of Information To Students**

Students may authorize release of academic records by presenting a signed Partners in Education "PIE" consent form to the Office of Student Records or for financial aid records - a FERPA Financial Aid Release, available from the Financial Aid Office. Otherwise, Walters State will not permit access to or the release of any information in the educational records of any student other than "Directory Information"; provided however, that two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. The Institution does not have to permit inspection and review of education records that 1) include more than one student or 2) contain financial records, including parents' information.

Walters State may release information contained in protected records over the telephone provided a signed and dated PIE form is on file in the office of the vice president of Student Affairs. The completed form includes a code that the caller must provide and that must be verified before information is disseminated. The Financial Aid Office may release information over the telephone if the caller successfully answers a series of screening questions.

## **II. Requests For Records And Rights To Appeal**

Upon request for inspection or review, a record covered by FERPA will be made available within a reasonable time, and in no event later than 30 days after the request. The institution may not destroy a record while a request for inspection or review is pending. The student should direct the request in writing to the official who has charge of the records, and provide appropriate identification. If requests for copies is excessive, students may be charged for the cost of copying. A student may also request explanation and interpretation of the records from the official in charge. If a student feels that a particular record or file contains inaccurate or misleading information or is otherwise inappropriate, the Institution will afford an opportunity for a hearing to challenge the contents of the record. This request shall be submitted in writing to the Institutional official in charge of the office which maintains that particular record. The official receiving the written request must forward the request directly to the President of the Institution who will appoint a hearing committee. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals, including an attorney, of the student's choice and at student's expense. The committee, after hearing the student, will make a recommendation to the President who will be the final authority in resolving the conflict.

Walters State Community College maintains, with the educational records of each student, a record identifying all persons except other institutional officials who have obtained access to the records.

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### **III. Exceptions**

There are several exceptions, which allow the Institution to disclose confidential information without the student's written consent. These exceptions are found in Code of Federal Regulations, title 34, sec. 99.30 through 99.38 and include, but are not limited to:

- A. WSCC officials who have legitimate educational interests as related to the discharge of official responsibilities, including the support of honor societies and academic excellence;
- B. officials of other schools in which the student is enrolled or seeks admission;
- C. appropriate persons in connection with a student's application for or receipt of financial aid;
- D. officials as defined in section CFR 99.31 the regulations concerning this law;
- E. state and local officials authorized by State statute;
- F. a response to a lawfully issued judicial order or subpoena, in which case, the Institution will contact the student before or immediately following the disclosure relative to the Institution's intent to comply with the order;
- G. appropriate personnel in connection with an emergency, if such information is necessary to protect the health or safety of a student or other persons and only to those persons in position to render assistance;
- H. accrediting organizations to carry out their functions;
- I. organizations conducting studies for or on behalf of Walters State for the purpose of assisting in accomplishing the college's stated goals, when such information will be used only by such organizations and subsequently destroyed when no longer needed for the intended purpose;
- J. the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense;
- K. the general public - the final results of a disciplinary proceeding 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 allegations.
- L. parents of a student under age 21 who has committed a drug or alcohol related offense.

### **IV. Student Educational Records Retention and Location**

Students' academic records are maintained permanently in the College's student information system (BANNER). Banner Document Management System (BDMS) electronic records of student data are backed up by the Office of Information and Educational Technologies (IET) staff daily, then weekly backups are done and stored in the Technical Education Building and also at the Great Smoky Mountains Expo Center. These backups are rotated out weekly and returned to a fireproof vault located in IET. Periodic backups are made to ensure safety of the files and are stored in a secure location. All

other records are maintained according to AACRAO standards as published by the American Association of Collegiate Registrars and Admissions Officers. A copy of the retention policy is maintained in the Office of Student Records (SSB-U127) and the office of the vice president for Student Affairs (CCEN-100).

Grades, transcript information, drop/adds, withdrawals and other data perceived by the student to be in error must be protested by the student during the subsequent semester. Protests made after this time will not be reviewed.

<b>Type of Educational Record</b>	<b>Information in Record</b>	<b>Position of Custodian</b>	<b>Location of Record</b>
Academic Record	Courses taken and credits earned	Dean of Student Records	SSB-U127
Admissions Office Files	Credit reports, application for degree, degree certification, degree analysis forms, and add/drop forms.	Dean of Student Records	SSB-U127
Disciplinary	Violations and penalties	Vice President for Student Affairs	CCEN-100
Health Records	Medical information	Vice President for Student Affairs	CCEN-100
Incident Report	Details concerning incidents and persons involved	Chief of Campus Police	Campus Police
Individual Student Fin Aid Folders	Financial aid data	Executive Director of Financial Aid	SSB-U161
International Student	Immigration information and recommendation	Asst. Vice President for Student Affairs	SSB-U109
Placement	Name, telephone, address, honors, work experience, military data, educational experience, and ratings of active registrants.	Asst. Vice President for Student Affairs	SSB-U130
Residency Classification	Residency information	Asst. Vice President for Student Affairs	SSB-U109
Student Admissions File	Application for admissions, school transcript, college transcript(s), test scores, evaluation of transfer credit from other colleges, residency information (if applicable), selective service information, ACT profile, and miscellaneous correspondence.	Dean of Student Records	SSB-U127
Test Scores	SAT and ACT Placement Test, GED Test Results and placement test requirement array	Executive Director of Counseling and Testing	SSB-U141
Traffic Notices	Names and offenses	Chief of Campus Police	Campus Police
Transfer Evaluation	Transfer evaluation credit from other colleges	Dean of Student Records	SSB-U127
Vehicle Registration Card	I.D. of persons and vehicles	Chief of Campus Police	Campus Police
Non-credit Class Records	Courses taken, attendance, grades, and certificates awarded	Dean of the Division of Workforce Training	CCEN-234

**V. Employee Responsibilities And Training**

Each employee of Walters State Community College is individually responsible for maintaining compliance with this policy and will be subject to disciplinary action if found to be in violation. Appropriate training relative to this policy will be included in new employee orientation sessions. Additionally, Walters State requires designated employees to annually complete the following training: Gramm-Leach-Bliley Act Training, Red Flag Rules Training, Security Awareness Training (required for all employees), and PCI-DSS Compliance Training for designated employees.

The Executive Director of Financial Aid or designee is responsible for the orientation and associated documentation for student workers regarding FERPA. 07/13; 05/16

**VIOLATIONS AND COMPLAINTS**

Violations of this policy should be reported to the Vice President for Student Affairs. Unresolved complaints of violation may be filed with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920  
Phone: 1-800-USA-LEARN (1-800-872-5327)