# STUDENT RECORDS

## Privacy of Student Records (FERPA)

The Family Educational Rights and Privacy Act (FERPA) of 1974 (20 U.S.C. § 1232g; 34 CFR Part 99), also known as the Buckley Amendment, is a federal law that states (a) that a written institutional policy regarding the privacy of student education records must be established and (b) that a statement of adopted procedures covering the privacy rights of students is made available. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education and provides that the institution will maintain the confidentiality of student education records.

FERPA states that:

- Students at postsecondary institutions must be permitted to inspect and review their education records.
- School officials may not disclose personally identifiable information from a student's education record, without written permission, unless such a disclosure is permitted by one of the FERPA signed-consent exceptions.
- Institutions are responsible for ensuring that all of their school officials comply with FERPA.

### Definitions

#### Education Records

Education records are defined as records that are:

- Directly related to a student
- Maintained by CWI or by a party acting on the behalf of the College.

Records that are NOT education records include:

- Sole possession records
- Law enforcement unit records
- Employment records (with the exception of work-study)
- Medical records
- Post attendance records

#### Eligible Student

Students enrolled in any program are protected under FERPA. Rights begin when a student registers for any class, regardless of age.

#### Enrolled/In-Attendance Student

A student who is officially registered in at least one course as of the census date of the course.

#### Legitimate Educational Interest

When a school official needs to access/review an education record in order to fulfill his or her responsibilities for CWI. Any school official who needs information about a student in the course of performing instructional, supervisory, advisory, or administrative duties for CWI has a legitimate educational interest.

#### School Official

A person employed by CWI in an administrative, supervisory, counseling, faculty, or support staff position; a person or company with whom CWI has contracted as its agent to provide a service instead of using CWI employees or officials (such as an attorney, auditor, external evaluator, medical service provider, law enforcement or security personnel, or collection agent); a person serving on the CWI 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.

#### Directory Information

Information contained in an education record which would not generally be considered harmful or an invasion of privacy if disclosed.

CWI may disclose, without consent, directory information. Eligible students may request that the school not disclose directory information about them by submitting a Request for Directory Hold form to the Registrar.

Information that may be released by CWI without written consent includes the following:

- Student's name
- Student's address
- Student's phone number
- Student's email address
- Student's photograph
- The most recent previous educational agency or institution attended
- Enrollment status
- Full-time/part-time attendance
- Dates of attendance
- Major field of study
- Freshman/sophomore standing
- Candidacy for degrees/certificates
- Degrees conferred and dates on which degrees were awarded
- Awards and honors received

### Non-Directory Information

Information that cannot be released without a student's written consent includes the following:

- Social Security Number
- Student's date of birth
- Class schedule
- Academic standing (e.g., probation or suspension)
- Grade point average/grades
- Transcript
- Parent's address
- Gender
- Exact number of enrolled credits
- Nationality
- Student disability status
- Any information which is not considered to be directory information

### Student Rights

FERPA affords eligible students certain rights regarding their educational records. These rights include:

- The right to inspect and review the student's records.
  - The student may request to review their records by submitting a written request to the Registrar's Office.
- The right to seek amendment of the student's records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

    - Requests for amendment of records must be in writing and must describe the specific portions or specific record(s) the student wishes to have amended, instructions as to the change desired, and reasons why the change is justified. If CWI decides not to amend the record as requested, CWI will notify the student in writing of the decision and the student's right to a hearing regarding the request. Additional information regarding the hearing procedures shall be provided to the student when notified of the right to a hearing.
- The right to consent to the disclosure of personally identifiable information contained in the student's education records, except for when consent is not required by FERPA.
  - Written consent is not required for disclosure to: (34 CFR § 99.31)
    - School officials with legitimate educational interests. The information must not be used for personal or other purposes extraneous to the school official's areas of responsibility. Having access to education records does not constitute authority to share this information with anyone who does not have a legitimate educational interest.
    - Other schools to which a student is transferring.
    - Specified officials for audit or evaluation purposes.
    - Appropriate parties in connection with financial aid to a student.
    - Organizations conducting certain studies for or on behalf of the school.
    - Accrediting organizations.
    - Compliance with a judicial order or lawfully issued subpoena.
      - The College makes a reasonable effort to notify a student who is the subject of a subpoena or court order before complying, so that the student may seek protective action (unless the court or issuing agency has prohibited such disclosure).
    - Appropriate officials in cases of health and safety emergencies.
    - State and local authorities, within a juvenile justice system, pursuant to specific state law.
  - The right to file a complaint with the Department of Education, Family Compliance Office, concerning alleged failures by CWI to comply with the requirements of FERPA.
    - Written complaints should be directed to: The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5920.

## Notification

CWI shall notify enrolled students annually regarding their rights to privacy and confidentiality under FERPA. CWI shall use the catalog, website, direct email notifications, and other methods of communication that are reasonably likely to inform students of their rights.

## Solomon Amendment

Solomon Amendment is a federal law that allows military recruiters to access some address, biographical, and academic program information on students aged 17 and older.

The Department of Education has determined the Solomon Amendment supersedes most elements of FERPA. An institution is therefore obligated to release data included in the list of "student recruiting information," which may or may not match the College of Western Idaho's FERPA directory information list. However, if the student has submitted a Request for Directory Hold to restrict the release of their Directory Information, then no information from the student's education record will be released under the Solomon Amendment.

Under Solomon, information will be released for military recruitment purposes only. Military recruiters may request student recruitment information once each term for each of the 12 eligible units within the five branches of the service:

- **Army**: Army, Army Reserve, Army National Guard
- **Navy**: Navy, Navy Reserve
- **Marine Corps**: Marine Corps, Marine Corps Reserve
- **Air Force**: Air Force, Air Force Reserve, Air Force National Guard
- **Coast Guard**: Coast Guard, Coast Guard Reserve

### Student Recruiting Information

Information identified in the Solomon Amendment that institutions are required to provide military recruiters upon request. Those items are:

- Student name
- Address
- Telephone number
- Age
- Class level (freshman, sophomore)
- Major
- Degrees conferred and dates
- The most recent previous educational agency or institution attended

## Health and Safety Emergency

During a health or safety emergency, FERPA permits CWI school officials to disclose education records without a student's written consent. When possible, CWI will only disclose designated directory information. However, when necessary to protect the health or safety of students or other individuals, CWI may provide more specific information to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. A school official may release education records within sufficient time for appropriate parties to act to keep individuals from harm or injury.

This exception is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student's education records. In addition, FERPA permits CWI to disclose information from education records to parents if a health or safety emergency involves their son or daughter. See 34 CFR § 99.31(a)(10) and § 99.36.

## Disclosure Recordkeeping Requirements

Each office of CWI that maintains educational records must include within each student's file, for as long as the file is maintained: (i) a record of all third parties who have requested or received personally identifiable information from a student's educational record pursuant to FERPA; and (ii) the legitimate interest of the party in requesting or obtaining the information.

The Registrar's Office is the primary contact for all student information inquiries. For questions concerning FERPA and student privacy, please contact the Registrar at 208.562.3000 or registrar@cwi.edu.

# Personal Information

It is the student's responsibility to ensure their personal information in the system is current and accurate. When a student's name, mailing address, phone number, personal email, or other pertinent information

changes, they must notify One Stop Student Services and fill out the appropriate form to reflect the change in the system.

### Name

Students must report and enroll under their legal first and last name. Students may also select a preferred chosen first name to be used internally at the College. Name changes require appropriate documentation and submission of a Student Information Update Form.

### Address, Phone Number, and Emergency Contact

The student is responsible for any delays in communications sent from CWI when an incorrect address is on file. Address, phone number, and emergency contact changes may be submitted online at myCWI.

### Email

CWI provides admitted and registered students with a CWI email address. The College uses the CWI email address as the official means of communication with the student. It is critical that students check their CWI email regularly for important, time-sensitive communications. Students may also provide personal email addresses. Personal email address changes may be submitted online at myCWI.

## Declaring/Changing a Major

Degree-seeking students declare a program of study (major) during the admissions process. Purposefully selecting and declaring a major helps a student clarify his or her educational goals. Degree-seeking students should meet with an advisor before deciding to change a major, as changing a previously declared major may affect eligibility for financial aid and veterans benefits. It may also increase the time it takes to complete a degree or certificate. Major changes should be limited, and a student cannot change his or her major once the census date of the semester has passed. Major changes accepted after the census date will be effective for the next semester. Changing the declared major or catalog year is completed by meeting with the assigned advisor.

Non-degree-seeking, Dual Credit, and Technical Competency Credit students must first complete all admissions requirements before declaring a major. These students – whether new or continuing – must request a change to degree-seeking status and declare a major before the admissions deadline of the semester for which they wish to enroll. **Non-degree-seeking, Dual Credit, and Technical Dual Credit students are not eligible for federal financial aid.**

## Transcripts

Transcripts are part of a student's permanent academic record. They show all the courses in which the student was officially enrolled, the final grade for each course, any in-progress courses, the courses from which the student was withdrawn, credits attempted and credits completed, courses repeated, semester and cumulative grade point averages, and degrees or certificates earned.

### Official Transcripts

CWI has authorized the National Student Clearinghouse to provide online transcript ordering for official transcripts. Official transcripts will be released only after the student has fulfilled all financial obligations to CWI.

The student's signature is required to release a transcript.

### Unofficial Transcripts

Current students may access unofficial transcripts online through myCWI, free of charge.

> NOTE: CWI makes every effort to ensure that transcripts are accurate. If a student believes there is an error or omission on the transcript, they should contact registrar@cwi.edu with copies of relevant documentation.

## Verifications

CWI has authorized the National Student Clearinghouse to provide online transcript ordering services and enrollment and degree verifications for all credit programs leading to degrees and certificates.

Insurance companies, housing providers, lending agencies, employer/employment agencies, etc., may contact the National Student Clearinghouse directly.

National Student Clearinghouse
2300 Dulles Station Boulevard, Suite 300
Herndon, VA 20171
www.studentclearinghouse.org
Phone: 703.742.4200 | Fax: 703.742.7792
Email: service@studentclearinghouse.org

Current students may access the National Student Clearinghouse online through the Clearinghouse's MyHub for enrollment verification and other options. This allows students to print, free of charge, official enrollment verification certificates for themselves and service providers.

CWI provides the current semester's enrollment information to the Clearinghouse approximately two weeks after the semester start date. This information is subject to change due to the student's right to adjust their schedule according to the College's registration policies.