

**Procedure Title: Protection of the Rights and Privacy of Students**  
**Procedure Number: 07-2003-0013**  
**Board Policy Reference: I.B.**

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**Accountable Administrator: Vice President Student Affairs**  
**Position responsible for updating: Registrar**  
**Original Date: December 1974**  
**Date Approved by Cabinet: 08-19-08**  
**Authorizing Signature: *signed original in file***  
**Dated: 08-25-08**  
**Date Posted on Web: 08-26-08**  
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**Reviewed: 08-08**

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**Purpose/Principle/Definitions:**

**Right of Access to Student Records**

In accordance with the federal “Family Educational Rights and Privacy Act of 1974,” and ORS 336.187, all of an individual student’s records maintained by Blue Mountain Community College shall be available for inspection should that student request to see such records. This right extends to all official school records, files, and data directly related to the particular student who requests such access. It includes all material that is incorporated into each student’s cumulative record folder. It specifically includes, but is not limited to, identifying data; academic work completed; level of achievement (e.g. grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns. Where such records or data include more than one student, any student shall be entitled to receive or be informed of that part of such record or data as pertains to that student. Access to records pertaining to student behavior and student conduct shall be authorized only in the presence of the Associate Vice President, Enrollment Management, or of an individual designated by the AVP as qualified to explain or interpret the records.

The following information may not be examined by students:

- Lists of assets and liabilities and tax returns of parents or guardians of the student, unless released in writing by the parents or guardians. Such release must be signed and mailed or delivered to the Records Department by the parents or guardian.
- Confidential letters and statements of recommendation that were placed in the records before January 1, 1975, provided they were obtained with a written

assurance of confidentiality, and provided they are not used for purposes other than those for which they were specifically intended.

- Memory aids and personal working notes of individual staff members, unless they are formalized for use as progress or behavioral records. To qualify for exemption, they must remain in the sole possession of the maker thereof, and must not be accessible or revealed to any other person except a substitute.

### **Right To Challenge Content of Student Records**

Students have the right to challenge the content of their own student records to ensure that the record is not inaccurate, misleading, or otherwise in violation of their privacy or other rights.

Any challenge to the contents of such records shall be made in writing to the Registrar. Persons without command of the language or writing skills may ask for help in making their written request.

If the Registrar agrees that the record is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the Registrar shall take steps to correct the record without resorting to formal hearings.

If the Registrar refuses to change the record, the student will be notified of his or her right to a hearing; if he or she requests a hearing, the Registrar will schedule such hearing at a time convenient to both the college and student. Hearings will be convened within ten (10) school days of the date the request is received in writing in the Records Department, unless the student requests a delay.

The following procedure will be followed at formal hearings:

- The time and location of the hearing will be established by the Registrar.
- The following persons will take part in the hearing: the Registrar; a person chosen by the student whose record is in question; and a disinterested, qualified third party appointed by the AVP, Enrollment Management who will act as the presiding officer.
- The hearing will be private. Only the above-listed persons will be admitted, plus the student and any witnesses and counsel chosen by the student.
- The panel, consisting of the above, will hear evidence bearing on the case to determine the point or points of disagreement. After consultation with the other panel members, the presiding officer will make a determination of steps, if any, that are to be taken to correct the student record. Such action(s) are to be specified in writing to the student, and a copy will be put into the student's permanent record.
- If, after the hearing, the student is not satisfied with the presiding officer's finding, the student may appeal to the Vice President, Operations, who will review the action of the hearings panel and will affirm, reverse, or modify the panel's actions. Appeal beyond the Vice President, Operations shall be to the College Board of Education.
- The final decision will be announced to the student in writing. If the student still disagrees, he or she may place a statement into the record. That statement will be kept in the record for as long a time as the disputed information is retained.

Complaints may be filed with the US Department of Education.

### **Release of Personal Information and Records**

Personally identifiable student records and personal information contained therein shall not be released or revealed to any individual, agency, or organization other than the following without the written consent of the student:

- Faculty member, provided the student is enrolled in his or her class or organized student activity;
- Advisor;
- Professional staff member who is participating in a staffing or case review of the student;
- Designated personnel responsible for making entries or maintenance of the record under the supervision of a professional staff member qualified to interpret the record;
- Other colleges and schools in which the student intends to enroll, provided the student is properly notified, receives a copy of the record, if desired, and has an opportunity for a hearing as mentioned above;
- Certain other select individuals and agencies: US Comptroller General, Secretary of the Department of Education, administrative head of an education agency, state educational authorities where necessary in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements that relate to such programs (except when collection of personally identifiable data is specifically authorized by federal law); and college, state, and federal officials concerned with a student's application for, or receipt of, financial aid;
- Certain other agencies and organizations specifically authorized by the Federal Rights and Privacy Act and ORS 336.187.

Any data collected by officials listed above, with respect to individual students, shall not include information that would permit the personal identification of such students after data so obtained have been collected (including social security numbers).

Personally identifiable information contained in school records will not be furnished, revealed, or released in any form to any persons other than those listed above, unless:

- There is written consent from the student specifying the records to be released, the reason for the release, the person to whom the record may be released, and with a copy of the record to be released to the student, if desired;
- Such information is furnished in compliance with judicial order, or pursuant to any lawfully issued subpoena, upon condition that a reasonable effort is made by the Registrar to notify the student of all such orders or subpoenas in advance of compliance therewith;
- The authorized transfer of personal information to a third party is only done on the condition that such party will not permit any other party to have access to such information without the written consent of the student;

- Blue Mountain Community College forwards education records on request to schools in which the student seeks admission or intends to enroll. No further notice of such transfers will be made.

### **Permanent Records Required**

A permanent record will be kept with each student file, listing all those who view or use the records, along with the reason for using the record. All persons using the records, except for those individuals performing official routine file maintenance on behalf of the college, will be recorded in the permanent file. Persons other than those charged with maintaining the records will be required to sign this written form each time access is authorized, indicating specifically the legitimate educational or other interest that the person, agency, or organization has in seeking the information. This form shall be available to the student and college officials responsible for record maintenance as a means of auditing the operation of the system.

### **Students To Be Informed of Rights**

All students enrolled in Blue Mountain Community College will be informed of the rights accorded them under this policy. A statement of such rights will be included in the college catalog, student handbook and/or other appropriate orientation or registration materials.

### **Protection of Student Rights**

All instructional material, including teacher's manuals, films, tapes, emails, and other supplementary instructional material that will be used in connection with any research or experimentation program or project will be available for inspection by the students engaged in such program or project. For the purpose of this section, "research and experimentation program or project" means any program or project in any applicable program designed to explore or develop new or unproven teaching methods or techniques.

### **Directory Information**

The following information will be considered directory information and may be released to other persons and agencies unless specifically prohibited in writing by the student concerned: student's full name, address, email address, telephone number(s); date and place of birth; field of study; class level; dates of attendance; degrees, honors, and awards, participation in officially recognized activities and sports; weight and height of members of athletic teams; the most recent previous educational institution attended by the student.

Currently enrolled students who wish to restrict the release of directory information may do so by completing and submitting a written "Notice to Withhold Directory Information" form to the BMCC Pendleton Service Center; or by selecting the appropriate box on the BMCC Application for Admission or Registration form; or by responding to the Disclosure request on the student Information form once they have logged into their online student account within the student Wolfweb.

Directory information subject to being restricted by the student is limited to the following: Local and permanent address(es) and telephone number(s); and parent(s)/guardian(s) names, address(es) and telephone number(s).

**Guidelines:**

**Procedure for Requesting Access to Records**

Requests to inspect student academic records shall be directed to the Registrar who, upon determination that the person requesting access is the student whose record is desired, will permit access to his or her records, files, and data as soon as is practical, but in no case later than five (5) school days. Requests must be in writing. If the student wishes to allow another person to view his or her file, the student must provide the college with a written release identifying the person authorized to see the records and the release must hold the college harmless for doing so.

It is up to the discretion of the Registrar or the AVP, Enrollment Management as to whether copies of the file will be released to the student. If the determination is made to provide copies, the College will charge \$1.00 per page.

**Special Forms:**

**Authorization to Release Information**



**INSTRUCTIONS**

Please complete each section below, sign and return form, along with valid picture ID to any BMCC location. To ensure privacy and security of our student's records, Forms **will only be accepted with valid picture ID** unless the form is being mailed to us. If sent by mail, must be from the address on record in our system.

**By Mail:** Blue Mountain Community College, 2411 NW Carden, Pendleton, OR 97801  
**By Email:** [getinfo@bluecc.edu](mailto:getinfo@bluecc.edu) (must include copy of valid picture id)  
**By Fax:** 541-278-5971 (must include copy of valid picture id)

**Note:** Blue Mountain Community College (BMCC) must follow all applicable state and federal (FERPA) laws, rules and regulations that apply to student records. Therefore, all information contained in the college records which is personally identifiable to any student shall be kept confidential and not released except upon prior written consent of the student or upon the lawful subpoena or other order of a court or competent jurisdiction. This authorization is effective as of the date below and is effective until revoked in writing by the undersigned student.

**PERSONAL INFORMATION**

BMCC ID \_\_\_\_\_ - \_\_\_\_\_ OR SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address \_\_\_\_\_@\_\_\_\_\_ Home/Cell Phone (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**Student Records to be Disclosed**

Mark one (1) of the options listed below:

- All Student and Billing Records
- Student Records (Example: grades, term schedules, registration information, enrollment history, etc)
- Billing Records (Example: student account information)
- Other \_\_\_\_\_

**Purpose of Disclosure**

Indicate below purpose of disclosure:

- Employment or Housing
- Admission to other college
- Scholarship/Financial Assistance
- Insurance or Other

**Person, Company or Agency to Release Information To**

Name of Person, Company or Agency: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**STUDENT SIGNATURE - REQUIRED**

I hereby authorize BMCC to release confidential information about me contained in my BMCC student records. I agree to hold BMCC and it employees harmless for any unauthorized use of my student records obtained by the above named party (ies). **I understand that this authorization is to remain in place until rescinded in writing.**

**AUTHORIZATION TO RELEASE INFORMATION FORM**

Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

*Blue Mountain Community College is an equal opportunity educator and employer.*

8.17.11

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