

STUDENT AFFAIRS, NEBRASKA STATE COLLEGE SYSTEM

POLICY: 3650 Student Records

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BOARD POLICY

The colleges shall provide students the right to inspect and review official records as provided in the Family Education Rights and Privacy Act of 1974 (Public Law 93-380 known as FERPA) as amended (Public Law 93-568 Federal Education Records and Privacy Act), also known as the Buckley Amendment.

The colleges shall require prior written consent of the student before releasing any education records or any other personally identifiable information as addressed in FERPA, except in certain circumstances as noted below.

The Family Education Rights and Privacy Act allows a college to release designated information without prior consent of a student unless the student notifies the college not to release information without his or her consent.

Any student wishing to have directory information withheld from reporting must notify the appropriate campus office in writing.

Release of Directory Information

The following information may be released to the general public unless the student notifies the college in writing not to release such information without prior consent:

- a) the student's name, local mailing address, including email address on file with the Registrar, permanent address, and telephone listings;
- b) date and place of birth;
- c) enrollment status (e.g., undergraduate/graduate part-time or full), year in school, and major field of study;
- d) participation in official college activities and sports, including weight, height and photos of members of athletic teams;
- e) dates of attendance;
- f) degrees, honors and awards received;
- g) most recent previous educational agency or institutions attended; and
- h) a photograph.

Release of Non-Directory Information

The colleges may release the following non-directory personally identifiable education records without prior consent, and where appropriate only upon written request, provided that a record of releases is maintained in accordance with federal regulations.

- a) to other school officials determined to have legitimate educational interests;
- b) to officials of schools the student seeks or intends to enroll;
- c) to authorized representatives of the U.S. Comptroller General, the Secretary of Education, or state educational authorities when such records are necessary for the audit and evaluation of federally supported education programs or in connection with the enforcement of federal legal requirements related to such programs or authorized representatives of the Attorney General for law enforcement purposes;
- d) in connection with a student's application for, or receipt of, financial aid;
- e) to state and local officials when such disclosure is authorized by state statute if the disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released;
- f) to organizations conducting certain studies for, or on behalf of, educational agencies or institutions;

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- g) to accrediting organizations when necessary to carry out their accrediting functions;
 - h) when necessary to protect the health or safety of the student or other person;
 - i) pursuant to a federal grand jury subpoena or subpoena issued for law enforcement purposes;
 - j) to parents whether or not the student is a dependent, when a student under age 21 violates drug or alcohol laws or college policies relating thereto; a record of parental disclosures is to be maintained by the colleges and provided to students at their request;
 - k) to the victim of violent crimes or nonforcible sex offenses the final result of a campus disciplinary proceeding, regardless of the outcome; and
 - l) to the general public the final result of a campus disciplinary proceeding involving a violent crime or nonforcible sex offense where the accused was found to have violated college rules or policies. The name of the accused may be disclosed, a description of the violation, and the nature and duration of the sanction imposed, but the college may not disclose the name of any other student involved in the incident, including a victim or witness, without their prior consent. The colleges may only disclose results of disciplinary proceedings in cases decided on or after October 7, 1998.

Counseling Information

Information concerning students obtained through counseling activities will not be made available to unauthorized persons within the colleges, or to any person outside the colleges without the expressed written consent of the student involved, except under legal compulsion or where the safety of others is involved or as otherwise set forth in FERPA.

Academic and Disciplinary Records

To minimize the risk of improper disclosure, academic and disciplinary records shall be separate and the conditions of access to each shall be set forth in an explicit policy statement by each college.

Disciplinary Records Disposal

Student disciplinary records are considered to be non-current and may be disposed of seven years after the semester in which the student was last enrolled.

Legal Reference: 20 USC 1232g
RRS 43-2101 Persons declared minors; marriage, effect
RRS 84-712.05 (1) Records which may be withheld from public

Policy Adopted: 1/28/77
Policy Revised: 8/9/80
Policy Revised: 6/5/93
Policy Revised: 5/21/01
Policy Revised: 3/31/06