



# POLICY

Category	Approval		
Series 1000: Students	Effective	Administration	Board
	2/22/10	12/4/09	2/22/10
	Revised	For Review	
	8/14/2023	2026	

## STUDENT RECORDS

**MTC 1061**

The Family Education Rights and Privacy Act of 1974 (FERPA) is a federal law designed to protect the privacy of a student's personal educational records. The law provides that the College will maintain the confidentiality of each student's educational records and covers matters related to access to student records and the disclosure of such records.

### Basic Policy

No information other than Directory Information shall be released without written permission from the student. Permission is valid for one year from the date it is filed with MTC. Parents/legal guardians showing proof that the student is listed as a dependent on the family's most recent tax return may have access to the student records. At no time shall any information other than Directory Information be released over the telephone.

### Directory Information

The federal privacy act defines certain information as directory information. MTC personnel may, upon request, orally, in writing, or electronically disclose directory information including:

- Student's name, address and phone number
- MTC issued email address
- Major field of study
- Dates of enrollment
- Degree(s) and award(s) received
- Most recent previous educational institution attended
- Participation in officially recognized activities and sports
- Information which denotes accomplishments or achievements
- Individual and group photographs

Although directory information is public, MTC personnel are encouraged to use professional discretion in the release of this information. Mass information requests of directory information for solicitation purposes will not be granted.

The College provides students with the opportunity to request nondisclosure of information. Students who wish to request nondisclosure of directory information must contact the Registrar's office.

### Exceptions to the Basic Policy

No one other than MTC personnel shall have access to, nor will the school disclose, any information from the student's educational records (other than Directory Information noted previously) without the written consent of the student except as follows:

1. Providers of financial aid
2. Accrediting agencies carrying out accreditation functions
3. A judicial order
4. An emergency situation as determined by the President, Vice President, Registrar, or designee
5. As of January 3, 2012, the U.S. Department of Education's FERPA regulations expanded the circumstances under which student education records and personally identifiable information (PII) contained in such records — including Social Security Numbers, grades, or other private information — may be accessed without the student's consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to student records and PII without student consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to student education records and PII without student consent to researchers performing certain types of studies. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive students' PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain and share without student consent PII from education records and they may track students' participation in education and other programs by linking such PII to other personal information about students that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service and migrant student records systems.

### **Additional Student Rights**

FERPA provides an opportunity for a student to inspect and review his/her educational records. It requires that students be notified about rights and existing records via at least one publication which is distributed to the entire community. It also permits the student to request an opportunity for a hearing to challenge the content of educational records believed to be inaccurate or misleading or in violation of the student's right to privacy or other rights. (For information, contact the Vice President for Academics or Registrar.)

1. All students wishing to review a copy of their educational record must present valid identification.
2. All students wishing to receive a copy of their educational records must make a written request to the Registrar's office.

### **Responsible Office**

The Registrar or designee is the MTC official who coordinates inspection, review, and/or disclosure procedures for student educational records.

### **Permanent Records/Transcripts**

Permanent records are kept on all students. Official transcripts may be requested through the MTC website.

The South Dakota Board of Technical Education will ensure all permanent records of current and former students will be maintained and available. The Board may be contacted at 800 Governors Drive, Pierre, South Dakota 57501.

LEGAL REFS.:       Family Education Rights and Privacy Act of 1974 (FERPA)  
                          34 CFR 668.24(3)(1) Standards for Participation in Title IV, HEA Programs  
                          34 CFR 602.24(c)(6)

6/22/15 - Provision was added to allow students to request nondisclosure of directory information. Another exception to the basic policy was added in accordance with expanded U.S. Department of Education's FERPA regulations.

6/25/18 – Responsible personnel updated to align with MTC's organizational structure.

5/9/22 - Responsible personnel updated to align with MTC's organizational structure. Requests for transcripts are now made through the MTC website. Language added that records would be maintained by the Mitchell School District in the event of MTC's closure. Legal references added.

8/14/23 – The State Board of Technical Education will ensure that student records are maintained (and not the Mitchell School District).