



## **Annual Notice to Students of Their Rights Under the Family Educational Rights and Privacy Act of 1974**

This act, with which Wake Technical Community College (Wake Tech) intends to comply fully, protects the privacy of educational records, establishes the rights of students to inspect and review their educational records, and provides guidelines for the correction of inaccurate or misleading data through informal and formal hearings. To the extent consistent with the Act, students who seek the correction of inaccurate or misleading data or who otherwise have complaints should follow the grievance procedure contained in the Student Handbook. Students also have the right to file complaints with the Family Educational Rights and Privacy Act Office concerning alleged failures by the college to comply with the Act. Wake Tech's policy establishing its intent to comply with the Act is published in the Wake Tech College Catalog. Procedures implementing the provisions of the Act are published on the college website and in the catalog. Questions concerning the Act and Wake Tech's policy should be referred to the Enrollment and Records Services Division.

**Care of Records, Policies, and Procedures** Wake Tech, in the execution of its responsibilities to students, maintains accurate and confidential student records. College staff recognize the rights of students to have access to their educational and personal records in accordance with college policy and the Family Educational Rights and Privacy Act of 1974.

**Definition of Educational Records:** Educational records, as defined under the provisions of the Family Educational Rights and Privacy Act of 1974, are files, documents, and other materials containing information directly related to students, that are maintained by an educational institution or an authority on behalf of the institution. The term "educational record," under the provision of the law, does not include the following:

1. Records of institutional, supervisory, and administrative personnel that are in the sole possession of the maker and that are not accessible or revealed to any other person except a substitute for the above-named personnel.
2. Records and documents of security officers of the institution that are kept apart from such educational records.
3. Records on students that are made or maintained by a physician, psychiatrist, psychologist, counselor, or other recognized professional or paraprofessional acting in an official capacity and that are made, maintained, or used only in connection with a provision for treatment of the student and not available to

anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of a given student's choice. Financial records of the parents of the students or other information therein contained.

4. Confidential recommendations if a given student has signed a waiver of the student's rights of access provided that such
5. A waiver may not be required of the student.

**Control Provisions on Student Records and Student Information:** The official student file shall not be sent outside the Admissions Office, Enrollment and Records Services Division, Financial Aid Office, Placement Office, or Cooperative Education Office except in circumstances specifically authorized in writing by the president or appropriate vice president. Students have the right to inspect their own records covered by the Act, whether recorded in hard copy, electronic data processing media, or microfilm. The Registrar has been designated by the College to coordinate the Inspection and Review Procedures for Student Education Records. Requests to review records must be made in writing, specifying the item or items of interest. Records will be made available for review within forty-five (45) days. Upon inspection, students are entitled to an explanation of any information contained in the record.

Students may have copies of their records except:

1. When a financial "hold" exists.
2. When the copy requested is a transcript of an original or source document that exists elsewhere. A fee of \$.50 per page will be charged for copies of records other than the student's transcript(s) of academic records.

Transcripts and other information, except as provided by the Act, are released only with the written consent of the student. Such written consent must:

1. Specify the records or the data to be released, to whom it is to be released, and the reason(s) for release.
2. Be signed and dated by the student.

**Disclosure of Information Without the Student's Consent:** Educational records must be disclosed without written consent of students to properly identified and authorized representatives of the Comptroller General of the United States, the Secretary of Education, state educational officials, and the Department of Veterans Affairs; for audit and evaluation of federal and state-supported programs; or in connection with enforcement of the federal or legal requirements that relate to such programs. Routine requests for student data from agencies such as the Department of Education, OEO, research agencies, and state-reporting agencies may be honored without prior approval of the student only in formats where students are not identified.

Confidential information requested by other than federal or state agencies as specified above will be released only under the following conditions:

1. An official order of a court of competent jurisdiction.
2. Subpoena. (Students will be notified immediately by registered mail that their records are being subpoenaed.)
3. To parents of students, upon a parent's providing of a certified copy of his or her most recent Federal Income Tax Form in which the student is identified as a dependent.

Requests for confidential information will be honored without prior consent of the student in connection with an emergency, if the knowledge of such information by appropriate persons is necessary (in view of a responsible person) to protect the health or safety of the student or other persons. Faculty and administrative officers of the College who demonstrate a legitimate educational need will be permitted to look at the official student file for a particular student. The College may make the following "Directory Information" available to the public unless the student notifies the Registrar in writing by the end of the first week of the term that such information is not to be made available.

1. Student's name
2. Date of birth
3. Email address
4. Major field of study or program
5. Dates of enrollment
6. Degrees, diplomas, or certificates received
7. College honors

Any release of student information for public use or use by the media except that specified above must have prior written approval by the student(s) involved.

**Record of Who Has Access:** A record of access to the official student file will be maintained within the file itself. This record will show the name, address, date, and purpose of all persons who have been granted access, except those institutional employees who, because of the nature of their duties, have been granted access.

**Student's Rights to Question Contents of Official Files:** A student has the right to view his official records maintained by the college; furthermore, a student may question any inaccurate or misleading information and request correction or deletion of that data from the official files. All such requests will be sent to the registrar and will become a part of that student's file. All requests for correction of a student file will be acted upon within 45 days of receipt of that request. If the custodian can verify that such data is, in

fact, in error, appropriate corrections will be made, and the student will be notified in writing when the correction has been completed. In the event that the registrar fails to resolve the request to the student's satisfaction, the student may prosecute the grievance further through compliance with the grievance procedure contained in this handbook. If the outcome of the grievance is in agreement with the student's request, the student will be permitted to review his file to verify that the change has been made correctly. If the student's request is denied, he will be permitted to append a statement to the record in question, showing the basis for his disagreement with the denial. Such appendages will become a permanent part of the record.