

2.7.1 Student Data Practice Procedure

Part 1. Procedure Statement

Students are informed of their rights under federal and state privacy laws through an annual notice of rights and this policy, which is included on the Inver Hills Community College website. Additionally, the policy will be available for inspection through the Office of Enrollment Services, Data Practices Compliance Official, and the Senior Student Affairs Officer.

Part 2. Student Rights under Family Educational Rights and Privacy Act (FERPA) and Minnesota Government Data Practices Act (MGDPA)

Subpart 1. Right to Inspect Educational Data

A student has a right to inspect and review their educational data.

Subpart 2. Right to Consent to Disclosures of Information

A student has a right to consent to disclosures of information, which identify them personally, except to the extent that these disclosures are allowed without student consent under state and federal law.

Subpart 3. Right to Correct Educational Data

A student has the right to request that the Office of Enrollment Services correct educational data, which they believe to be inaccurate or misleading.

Subpart 4. Right to File a Complaint

A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by Inver Hills Community College to comply with the requirements of FERPA. Students desiring to file a complaint should address the complaint to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920
Phone: 1-800-USA-LEARN (1-800-872-5327)
Website: <http://www2.ed.gov/policy/gen/guid/fpco/index.html>
Email: fpco@ed.gov

Part 3. Directory Information

Directory information is not generally considered harmful or an invasion of privacy if disclosed to the public. Inver Hills Community College designates the following as public Directory Information:

- Student's name
- Major/Program
- Enrollment status
- Dates of attendance or graduation
- Previous schools attended
- Degrees, honors and awards received
- Photographs taken individually or in groups
- Video recordings taken individually or in groups

Inver Hills Community College designates student information as

Limited Directory Data in several situations:

- Student email addresses and Star ID numbers are defined as Limited Directory Data for enterprise technology-related purposes internal to the Minnesota State Colleges and Universities system that are approved by System Office IT, including, but not limited to, inclusion of email addresses and Star ID numbers in a directory accessible to Minnesota State students and employees.
- Notwithstanding any other provision of this policy, the following information is defined as Limited Directory Data for purposes of sharing with LeadMN so the association can communicate with their members: Student name, enrollment status (FT/PT), Student Change Code (NEW/RTN/DROP), e-mail address, permanent phone, permanent address, city, state, and zip code, and major.
- Former and current students' phone numbers, addresses and email addresses may be disclosed to Inver Hills Community College Foundation and Alumni Association for events, fundraising and membership opportunities.

Inver Hills Community College will not release directory information to any financial institution requesting data for credit card marketing purposes. Students may direct that any or all of the above-listed Directory Information be withheld from public disclosure by notifying the Registrar in writing. The directive remains in effect until rescinded by the student.

Part 4. Access to Student Records

Subpart A. Consent for Release Generally Required

Inver Hills Community College will not permit access to or the release of personally identifiable information contained in student educational records to any third party without the written consent of the student, except as authorized by the MGDPA and FERPA or other applicable law. A copy of the *Authorization to Release Student Information* form is available at the Enrollment Center and on the college website. A written consent is valid if it:

- specifies the records that may be disclosed;
- states the purpose of the disclosure;
- identifies the person(s) to whom the disclosure may be made;
- is signed and dated by the student; and
- is verified with a valid government ID.

Subpart B. Release without Consent

As allowed under FERPA and MGDPA, Inver Hills Community College may release educational data without the consent as permitted by applicable law, including the following individuals or agencies:

- Appropriate school officials with a legitimate educational interest
- Specified officials for audit, accrediting, or evaluation purposes
- Appropriate parties in connection with providing financial aid to a student
- Appropriate officials in cases of health and safety emergencies
- Federal, state and local officials or agencies authorized by law
- Compliance with a judicial order or lawfully issued subpoena
- Military recruiting personnel, under the Solomon Amendment of the National Defense Authorization Act. In addition to directory information, Inver Hills Community College must disclose address, telephone number, institutional email address, and date of birth

- Another educational agency or institution, where a student intends to enroll, is enrolled, or from which a student receives services. Inver Hills will automatically send official transcripts to other Minnesota State institutions where the student is enrolled or has applied for admission
- An alleged victim of a crime of violence or non-forcible sex offense, the final results of the alleged student perpetrator's disciplinary proceeding may be released.
- Education records in response to an ex parte court order from the U.S. Attorney under the USA Patriot Act.

Subpart C. Health and Safety Emergencies

Inver Hills Community College may disclose any educational data necessary under the circumstances to appropriate parties including, but not limited to, parents, potential victims or any person whose knowledge of the information is needed to protect the health or safety of the student or others. Inver Hills Community College will record and retain certain information concerning the circumstances of the emergency.

Subpart D. Record of Requests for Disclosure

Where required by law, a record of requests for disclosure and such disclosure of personally identifiable information from student education records shall be maintained by the Office of Enrollment Services for each student and will also be made available for inspection pursuant to this policy. If the institution discovers that a third party who has received student records from the institution has released or failed to destroy such records in violation of this policy, it will prohibit access to educational records for five (5) years. Records of requests for disclosure no longer subject to audit, nor presently under request for access, will be maintained according to the school's applicable records retention policy.

Part 5. Identity

Subpart A. Identity Verification

College personnel will verify a student's identity before sharing non-directory information. The steps below will be taken to verify a student's identity.

- In person: College personnel will ask for a government picture ID
- By phone: College personnel will ask to verify at least two pieces of information about the student that exists in the Student Information System (SIS). The information to be verified includes student ID, birth date, or other identifiable data only available to that student. If this information is not in the SIS or if the student provides conflicting information, they will be prompted to come to campus and show a government picture ID

Subpart B. Valid Government Identification (ID)

To receive private educational data or to submit a Release of Private Educational Data form, an official unexpired government photo ID is required. Accepted official government photo IDs include:

- IHCC Student ID
- State Driver's License
- State ID

- U.S. Passport
- Military ID
- Tribal ID
- Government Visa
- Permanent Resident ID
- Naturalization ID
- Certificate of Citizenship
- Federal Work Permit
- Mexican CID card
- International Passport

Part 6. Access to Educational Records by Student

Students may inspect and review educational data upon request to the Registrar. Students should submit a written request which identifies as precisely as possible the data they wish to inspect.

The Registrar or an appropriate Inver Hills Community College staff person will make arrangements for access as promptly as possible and notify the student of the time and place where the educational data may be inspected. Access must be given in ten days or less from the date of receipt of the request.

When educational data contains information about more than one student, the student may inspect and review only the data which relate to themselves.

Students who live more than 50 miles from campus may send a written request for a copy of their educational data, specifying the documents requested along with the required fee per page. The fee for copies of educational data other than Inver Hills Community College transcripts is \$.25 per page.

Under FERPA and MGDPA, a college or university cannot deny students access to their educational data; however, it may deny copies in circumstances specified by institutional policy. Inver Hills Community College reserves the right to deny copies of any of the following data:

- The financial records or statements of the student's parents or legal guardians.
- Letters and statements of recommendations for which the student has waived their right to access, or which were maintained before January 1, 1975.
- Those records which are excluded from the FERPA or MGDPA definition of educational data.
- Official transcripts when there is a business office, records, or library hold on the student record. However, unofficial transcripts will be released regardless of holds on a student record.
- Educational data that include a set of standardized test questions. (An exam or standardized test that is not directly related to a student is not an education record and therefore is not subject to FERPA access provisions.)

Part 7. Grades and Student Transcripts

Grades and transcripts will be protected as follows:

- Faculty will take care to not reveal individual student grades. If grades are posted at a location accessible to all students, no private educational data, including name, social security number, or any part of those identifiers may be used in conjunction with posted grades.

- All requests for transcripts must be received in writing via secure web form, fax, mail, or in person.
- Official copies of academic records or transcripts will not be released for students who have an outstanding financial obligation to the college, unless otherwise required by law.

Part 8. Procedure to Correct Educational Data

Students have the right to ask to have educational data corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Disputes regarding individual assigned grades are not covered in this procedure. The following are procedures for the correction of educational data:

- A student must request, in writing, that the Registrar amend educational data. In so doing, the student must identify the data to be amended and specify why the student believes it is inaccurate, misleading or in violation of their privacy rights.
- The Registrar will decide whether or not to comply with the request. If the college decides not to comply, the Registrar will notify the student of the decision and advise the student of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- Upon request, Inver Hills Community College will arrange for a hearing and notify the student in advance of the date, place, and time of the hearing.
- The hearing will be conducted by the Chief Student Affairs Officer. The student shall be afforded ample opportunity to present evidence relevant to issues raised in the original request to amend the student's educational data. The student may be assisted by an Inver Hills Community College faculty or staff member serving in an advisory capacity.
- The Senior Student Affairs Officer will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- If Inver Hills Community College decides that the information is inaccurate, misleading, or in violation of the student's privacy rights, the educational data will be amended and the student notified, in writing, of the change.
- If Inver Hills Community College decides that the challenged information is not inaccurate, misleading, or in violation of the student's privacy rights, the student will be notified that they have the right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
- The statement will remain part of the student's educational data as long as the contested information is maintained. If Inver Hills Community College discloses the contested portion of the educational data, it must also disclose the student's statement.

Part 9. Applicable Laws

Copies of FERPA, MGDPA, and the Solomon Amendment can be found online.

FERPA: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

20 U.S.C. 1232g: <http://www.ed.gov/policy/gen/guid/fpco/pdf/ferparegs.pdf>

34 CFR Part 99: <http://www.ed.gov/legislation/FedRegister/finrule/2004-2/042104a.pdf>

MGDPA

Chapter 13: <http://www.revisor.leg.state.mn.us/stats/13/>

Solomon Amendment

32 CFR Part 216: http://www.access.gpo.gov/nara/cfr/waisidx_03/32cfr216_03.html

Part 10. Contacting the Office of Enrollment Services

Questions concerning data privacy should be directed to: Inver Hills Community College

Office of Enrollment Services

2500 East 80th Street

Inver Grove Heights, MN 55076

651-450-3503 (phone)

651-450-3677 (fax)

<http://www.inverhills.edu>

enrollment@inverhills.edu

Part 11. Notice of Data Practices Access Personnel

Students who have questions or concerns about obtaining access to educational data or other data practices issues may contact the campus Data Practices Compliance Official: Scott Klaehn, College Center Building, 651-450-3462, sklaehn@inverhills.edu.

Requests for Educational Data should be directed in writing to Registrar, College Center Building, 651- 450-3503, enrollment@inverhills.edu.

The address for Inver Hills Community College is 2500 80th Street East, Inver Grove Heights, MN 55076. The college website address is <http://www.inverhills.edu>.

Responsible Administrator: Vice President of Student Affairs

Procedure History:

Date of Adoption: Unknown

Last Revision Date: 3/17/2021

Date most recent procedure revisions go into effect: 03/2021

Date and subject of revisions:

2020: Updated to include LeadMN language

2021: Updated to include Inver Hills Foundation under limited directory data; added institutional email address as student recruitment information as defined in the Solomon amendment.