

BP 5040 Student Records, Directory Information, and Privacy

Reference: ***Education Code Sections 66093.3, 66271.4 et seq. and 76200 et seq.; and Title 5 Sections 54600 et seq. 20 U.S. Code Section 1232g subdivision (j); ACCJC Accreditation Standard 2***

Adoption Date: May 21, 2002

Reviewed: February 16, 2021

NOTE: This policy is legally required.

The Grossmont-Cuyamaca Community College District (District) Chancellor shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

The Chancellor -may direct the implementation of ~~procedures establishing~~ appropriate safeguards to ensure assure that student records, ~~including grade changes~~, cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to him/her/them maintained by the District. The Chancellor shall implement a system by which current students can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a current student, the District shall update any records for the student to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to District-issued email addresses, student identification cards, class rosters, unofficial or official transcripts, diplomas, certificates of completion of courses, or similar records. Upon request by a former student of the District, the District will update and reissue student records to include an updated legal name or gender. These documents include but are not limited to transcripts or a diploma conferred by the institution.

The safeguards shall ensure that colleges within the District establish common procedures to ensure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records. The procedures shall also include addressing access of student records, including, but not limited to:

- ~~▪ The rights and privileges of students and former students to have access to any and all their college records relating to him or her maintained by the District~~
- ~~▪ Access to the records by any individual or agency to whom the student has executed written consent specifying the records to be released~~
- ~~▪ Access to those records in response to court order or lawfully issued subpoena~~

- ~~• The student's right to limit their directory information~~
- ~~• The installation of security measures to protect grade records and grade storage systems from unauthorized access~~
- ~~• Limitations on access to grade records and grade storage systems~~
- ~~• Discipline for students or staff who are found to have gained access to grade records without proper authorization or to have changed grades without proper authorization~~
- ~~• Notice to students, faculty, transfer institutions, accreditation agencies and law enforcement agencies if unauthorized access to grade records and grade storage systems is discovered to have occurred~~

The District cannot require a current student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's affirmed name listed on the student's records.

The District may use a student's gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the student in accordance with the student's gender identity and affirmed name.

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information. ~~Directory information may be released in accordance with applicable federal and state laws.~~

Directory information shall include:

- Name, address, phone number, email address, dates of attendance and enrollment status (full-time, half-time)
- Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards, Vice President's and President's recognition.

NOTE: This is an extremely limited definition of "directory information." Both state and federal laws permit the Board to adopt a definition of "directory information" that includes any of the following: name, address, telephone number, date and place of birth, major field of study, student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members, degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean's List recognition, dates of attendance, and the most recent public or private school attended by the student. Such an expansive definition of "directory information" is no longer recommended out of concern for both the family privacy and the safety of students. Applicable law does not give the District discretion to use a more expansive definition of

directory information on a selective basis, e.g., in order to make such data available to potential vendors.

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See also BP 3310 Records Retention and Destruction, AP 4231 Grade Challenges, AP 5040 Student Records, Directory Information, and Privacy, and AP 5500 Standards of Student Conduct