



Privacy and Access to Education Records Policy

Approval Date: 10/8/2025

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Board Policy Alignment: [E-1 Ends](#)

[EL-0 General Executive Constraint](#)

[EL-1 Treatment of Students](#)

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Responsible Official: College Registrar

Purpose

Frederick Community College (“FCC” or the “College”) is committed to protecting the rights of students under the Family Educational Rights and Privacy Act (FERPA) as amended. The purpose of this Privacy and Access to Education Records Policy is to provide guidance and instruction related to the protection of and access to information and records of students held by the College.

Scope

This policy covers all [education records](#), as defined herein, and governs the actions of all College employees with respect to disclosure of [education records](#).

Definitions

See the Policy Glossary for definitions of hyperlinked terms in this policy.

Policy

Student Rights

Annual Notification of Rights

FERPA affords eligible students certain rights with respect to their education records. FERPA does not require the College to notify eligible students individually of their rights under FERPA. Rather, the College may provide the notice by any means likely to inform eligible students of their rights. Students will be informed annually of their rights under FERPA through the Student Policies and Procedures section of the Student Resources section of the FCC website and by publication in the College catalog, and schedule of classes.

The annual notification includes information regarding an eligible student's right to inspect and review their education records, the right to seek to amend the records, the right to consent to disclosure of PII from the record (except in certain circumstances), and the right to file a complaint with the Family Compliance Office of the U.S. Department of Education regarding an alleged failure of FCC to comply with FERPA.

The annual notification must also inform eligible students of the FCC definition of the term "College official" and "legitimate educational interest."

Right to Review Education Records

A student has the right to review their education record within 45 calendar days of the day the College receives a written request from the student to the Registrar or their designee. Refer to the Release of Student Information Procedure.

Right to Request an Amendment to an Education Record

A student has the right to request an amendment to their education record which they believe is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Refer to the Release of Student Information Procedure.

Right to Consent for Disclosure (except in certain circumstances)

For the College to disclose a student's information, there must be written consent for the disclosure on file with Registration and Records which will be honored until the student revokes the consent in writing. This form can be found on the College website. Refer to the Release of Student Information Procedure.

The College does not disclose any student records, except for directory information, to family members without written student consent.

The College has the right to disclose information to the extent that FERPA authorizes disclosure without written consent.

The College may disclose to College officials with legitimate educational interest without written consent. A College official has a legitimate educational interest if the official needs to review an education record to fulfill professional responsibilities.

Upon request, the College may disclose education records without written consent to officials of another school in which a student seeks or intends to enroll, and to military recruitment services pursuant to the Solomon Amendment.

Right to File a Complaint

A student has the right to file a complaint with the Student Privacy Policy Office of the U. S. Department of Education concerning alleged failures of the College to comply with the requirements of FERPA.

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-8520

Release of Directory Information

These record types are considered Directory Information at the College:

Name	College-issued email address	Dates of enrollment
Major field of study	Weight and height of athletes	Honors
Awards	Degrees	Date of graduation
Enrollment Status (continuing education/credit, full/part-time)	Photographs and videos for use in College press releases, publications, and websites	Participation in officially recognized activities and sports

Directory information may be released by the College at any time unless the College has received prior written notice from the student, filed with Registration and Records, requesting non-disclosure of information. This non-disclosure request will be honored until

the student notifies the Registrar or their designee. Refer to the Release of Student Information Procedure.

While the College may release directory information, it is not required to do so. A signed FERPA release by a student may allow for access to their records.

Release of Non-Directory Information

This non-exhaustive list of record types is considered Non-Directory Information at the College.

Student identification number	Social Security or Tax ID Number
Ethnicity	Parent's home address
Date of birth	Name of parent or other family member
Bio-metric records	<u>Education record</u>

Students may request the release of non-directory information via a FERPA Release Form. Further, FERPA permits the disclosure of Non-Directory Information from a student's education record to the following parties, without consent of the student, if the disclosure meets any of these conditions found in the FERPA regulations:

- *Accrediting organizations* to carry out their accrediting functions.
- *Appropriate officials* in connection with a health or safety emergency.
- *Appropriate parties* to comply with a judicial order, lawfully issued subpoena, or ex parte order.
- *Auditors* comply with audits conducted as part of business process review by the College.
- *Authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, the U.S. Department of Treasury, or state and local educational authorities*, such as a state post-secondary authority that is responsible for supervising the College state supported education programs. Disclosures under this provision may be made in connection with an audit or evaluation of federal or state supported education programs, or for the enforcement of, or compliance with, federal legal requirements that relate to those programs. These entities may make further disclosure of Non-Directory Information to outside

entities that are designated as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

- *College officials* whom the College has determined to have legitimate educational interest.
- *Department of Defense representatives* requesting access to student recruiting information, in accordance with the Solomon Amendment.
- *General public* regarding the results of a disciplinary proceeding if the College determines the student is an alleged perpetrator of a crime of violence or non-forcible sex-offense and the student has committed a violation of College policies and procedures with respect to the allegation. The disclosure of results must include only the name of the student, the violation committed, and any sanction imposed by the institution against the student.
- *United States Department of Education and officials in connection with financial aid* for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. HEA requires that Free Application for Federal Student Aid (FAFSA) data and all information collected to determine financial aid is kept separate from other data collected from the student. That data can only be used for the application, awarding, and administration of financial aid.
- *Officials of another institution* where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment, transfer, or clarification of documents.
- *Organizations that are conducting studies for, or on behalf of, the College*, to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- *Parents of a student* regarding the student's violation of federal, state, or local law, or rule or policy of the College governing the use or possession of alcohol or a controlled substance if the College determines the student committed a disciplinary violation and the student is under the age of 21.
- *Parties requesting Directory Information*, unless restricted by a Non-Disclosure request from the student.
- *U.S. Attorney General or their designee* to comply with an ex parte order in connection with the investigation of prosecution of an offense listing in 18 U.S.C. 2332b(g)(5)(B).

- *Victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense*, subject to the requirements regulation. The disclosure may only include the results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.

FERPA regulations require the College to record disclosures of Non-Directory Information disclosed without the student's written consent. FERPA regulations do not require the College to record disclosures to College officials, judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student. Eligible students have a right to inspect and review the record of disclosures.

In implementing its policies related to access to education records, the College must comply with all applicable federal, state, or local laws, including but not limited to the Health Information Portability & Accountability Act (HIPAA), Gramm-Leach Bliley Act (GLBA), Family Educational Rights and Privacy Act (FERPA), General Data Protection Regulation (GDPR), and Maryland's Protection of Personally Identifiable Information by Public Institutions of Higher Education law.