



Policy Number: 300.2
Policy Title: FERPA Policy
Subject: Section 300 – Student Affairs
Date Adopted: August 24, 2009
Date(s) Revised: September 14, 2012

Approved by: 

Daniel J. Bingham
Dean/CEO
Helena College University of Montana

POLICY STATEMENT:

This policy covers interpretation and implementation of the Family Educational Rights and Privacy Act (FERPA) of 1974 and Montana Statutes specifically as they apply to the Helena College University of Montana for affording students certain rights with respect to their education records.

All Helena College policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations; with Board of Regents' policies and procedures; and with The University of Montana's policies and procedures.

PROCEDURES:

DEFINITION OF A STUDENT EDUCATION RECORD

Education records are defined as records that are directly related to the student and maintained by the institution or by a party acting for the institution.

Education records do not include instructor's or staff's personal notes on a student which are in the sole possession of the maker, employment records (except work-study records), records created or maintained by a physician, psychiatrist, psychologist, or other recognized professionals, library records, and alumni records.

RIGHTS AFFORDED TO STUDENTS UNDER FERPA

Students have specific rights concerning their education record:

1. The right to inspect and review their education record.
2. The right to request amendment of the student's education records to ensure they are not inaccurate, misleading, or in violation of the student's privacy or other rights.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosures without consent.
4. The right to file complaints with the Family Policy Compliance Office concerning alleged failures of Helena College to comply with the requirements of FERPA. Written complaints should be directed to:

The Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave, SW
Washington, D.C. 20202-5920
Email: ferpa@ed.gov

DISCLOSURES MADE WITHOUT STUDENT'S CONSENT

Helena College may disclose student information under the following circumstances in accordance with FERPA:

- To employees with a legitimate educational interest. Legitimate educational interest is defined as needing the records to carry out employee responsibilities.
- To authorized representatives of the United States Comptroller General, Attorney General, Secretary of Education, or state and local educational authorities.
- In connection with the application or receipt of financial aid when the information is necessary to determine eligibility, amount of the aid, determine the conditions of the aid, and enforce the conditions of the aid.
- To other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
- To state and local juvenile justice systems or their officials.
- To organizations conducting educational studies.
- To contractors, consultants, or volunteers providing the institution services.
- To accrediting organizations carrying out their accrediting functions.
- In compliance with a judicial order or lawfully issued subpoena.
- To appropriate parties in an emergency if the information will help assist in resolving the emergency
- To victims of an alleged perpetrator of a crime, disciplinary records maintained by colleges concerning the alleged crime.
- In connection with a disciplinary proceeding at the college.
- To parents of a student under 21 in connection with alcohol or controlled substances violations at the college.
- If designated as directory information (and the student has not opted out).

DIRECTORY INFORMATION

Helena College has defined the following as directory information and may release it to the public without notifying the student:

- Name
- Address
- Telephone Number
- Date and place of birth
- Major Field of Study
- Enrollment Status full-time, part-time)
- Participation in officially recognized activities
- Dates of Attendance
- Degrees and academic awards (e.g. dean's list, honor roll, graduation honors)
- Most recent educational agency/institution attended
- College assigned student e-mail address
- Photographic, video, or electronic images

Students may request that directory information not be released without their consent. Requests for non-disclosure need to be made through the Registrar's Office. They are in effect the date the student makes the request and will only be revoked if the student requests it in writing. Students should be aware that if they choose this option Helena College will not provide enrollment or graduation verifications without the student's written consent.

DISCLOSURE TO PARENTS

In accordance with Montana Statute §20-25-515, MCA UM-Helena will not give out information to parents unless the student has provided written permission. If students would like to provide access to their parents they need to sign a Release of Information Form at the Registrar's Office.

DISCLOSURE OF RECORDS TO STUDENTS

Helena College requires students to present their picture identification for all transactions. Any student wishing to receive information over the phone will need to fill out a Release of Information Form at the Registrar's Office. Students will be required to know a password and their student identification number to receive information over the phone.

DISCLOSURE TO POTENTIAL EMPLOYERS

Helena College discloses graduation dates and dates of attendance as part of its directory information. Students interested in a specific job reference, including performance in courses, from a faculty member must complete the Student Release for Job Referral/Reference form with the appropriate faculty member.

ACCESS TO RECORDS

Students may access their records by providing a written request to the office where the records are held. The office will make arrangements to provide access to the records within 45 days of the request. Students may not have access to the following records:

- Financial information submitted by parents
- Confidential letters and statements of recommendation, which the student has waived the right to review.
- Education Records containing information about another student, however the student will have access to the parts of the record that only concern the student requesting the information.

FEES FOR COPIES OF RECORDS

There is a \$3 dollar fee for academic transcripts. A copy of all other records are provided free of charge.

RIGHT OF HELENA COLLEGE TO REFUSE COPIES OF RECORDS

Helena College reserves the right to refuse student's copies of their student records, including their transcript, if the student has an outstanding financial obligation to the school or an unresolved disciplinary action against the student.

COMPLIANCE

Students should address questions, concerns, or problems concerning this policy to the Registrar's Office, Donaldson Campus, 1115 North Roberts, Helena, MT 59601.