

Working with Students and their Records

What is FERPA?

In general, the Family Education Rights and Privacy Act (FERPA) establishes specific rights for students. This prevents the release of certain information without written consent of the student. Directory information may be revealed to anyone unless the student refuses to permit the disclosure.

Directory Information (information that you can share without the students consent, unless there is an information block on their record)

Broome Community College defines directory information as the following: name of the student, full or part time status, dates of attendance, SUNY Broome e-mail address, honors, degree earned, date of graduation, photograph, and participation in officially recognized activities and sports, weight and height of members of athletic teams. You may disclose this information to anyone as long as the student does not have an information block her/his records. You may determine if the student has an information block on the records by accessing the Biographical tab on SPAIDEN in Banner. Banner will give you a warning if the student has an information block on their record. In these instances, we should not share directory information with those who are seeking it.

What about preventing the release of directory information?

The student may prevent directory information from being revealed if they notify the Registrar's Office of this within two weeks of the beginning of the semester. As mentioned above, this will be posted on our Student Information System.

Who can access student records without the student's consent?

School officials with legitimate education interest may access student records without the consent of the student. A school official is a person employed by BCC in an administrative, supervisory, and academic or support staff position, including law enforcement units and health staff. Other school officials are considered to be a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or assisting another school official in performing his or her tasks.

What is legitimate education interest?

Legitimate education interest occurs when the official needs to review an education record in order to fulfill her or his professional responsibility.

What are the other entities that may access student records without the student's consent?

School officials of educational institutions to which a student might transfer; authorized state and federal government officials of educational and funding agencies; educational research agencies, with the provision that they release only non-personally identifiable data; accrediting organizations, the U.S. Department of Defense under the Solomon Amendment.

What about subpoenas?

Please send these to the Registrar's Office (mail stop 44). Upon official receipt of a Judicial Subpoena of the records of a student, a reasonable attempt will be made to notify the student of the existence of the order of the subpoena in advance compliance unless it states otherwise.

What about emergencies?

In the event of an emergency involving the health or safety of a student, or others, we may disclose information to federal or state officials. We may also disclose information to other appropriate parties in connection with an

emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. For example, safety concerns warranting disclosure could include a student's suicidal statements, unusually erratic and angry behaviors, or similar conduct that others would reasonably see as posing a risk of serious harm.

Please know this exception of disclosure should be limited to a number of people and made on the basis of a good-faith determination in light of the facts available at the time. It is highly unlikely to be regarded a violation of FERPA, even if the perceived emergency later turns out not to have been one. If possible, the initial disclosure should be made to a professional who is trained to evaluate and address such emergencies, such as campus mental health or law enforcement personnel who can determine if further disclosure is appropriate.

If you are concerned that a student may engage in violent behavior, toward themselves or others and the threat appears to be forthcoming, you should contact our security office immediately.

What about students that have not enrolled yet?

Persons who applied for admission and/or accepted to BCC, who have not attended classes yet, have no rights under FERPA. Admitted students are covered by FERPA only when they start attending classes.

Can parents access their children's records that are considered non-directory?

A parent or guardian of a student in attendance at Broome Community College, who claims a student as a dependent on her/his Federal Income Tax Form, shall, upon proper presentation of the dependency condition, shall be able to review the student's education records within 45 days of the date of the request. We may also disclose education records to parents if a health or safety emergency involves their son or daughter.

What about cases of divorce?

We may give access to either parent (custodial or non-custodial) unless there is a court order, state statute, or other legally binding document prohibiting such. If such documentation is in existence it is the responsibility of the parent to notify the Registrar's Office of this within two weeks of the beginning of the semester.

Is there another way that parent's can have access to their children's records without requiring them to present dependent information?

This is permissible if the student signs an information release form indicating their parent or guardian may have access their records. If the parent identifies themselves correctly, (in person or over the phone), you may provide them with the information that is specified in the notation on the SPACMNT form in Banner. Students who wish to complete the information release form must do so at the Registrar's Office, SS 105. If you do not have access to the SPACMNT form in Banner or need assistance with determining if an information release is on file for the student, please contact the registrar's office, x5253.

What about phone calls?

Instead of discussing sensitive information with the student over the phone, you may want to inform them they can access their records online. Please tell them they may access their records and make various changes to them by visiting <https://mycollege.sunybroome.edu>. Some of the items they may view include personalized information regarding the following: account summary, financial aid, grades, degree audit, immunizations, registration holds, student schedule and unofficial transcript. Students may also change their address and telephone number by utilizing their MyCollege account. If the student's academic department approves, the student may also register online by utilizing their MyCollege account.

If students want to discuss any information with you about their records, they should be prepared to provide adequate personal information including name, SUNY Broome ID (B#), birth date, high school attended and zip code. If the parent calls, check the SPACMNT form in Banner to see if the student contains an information

release. If there is an information release on the students' record you may share with the parent the information that is listed in the text of the message on the SPACMNT form in Banner. If you need assistance, please contact the Registrar's Office (x5253).

What about conducting transactions in person?

Different offices have different levels of contact with students.

- 1.) If you do not know the student, please verify the student's identity by asking them to present their SUNY Broome ID card.
- 2.) If they do not have this, ask them for a picture ID.
- 3.) If they do not have any picture ID with them, ask them to verify their name, SUNY Broome ID (B#), birth date, high school attended and zip code.

What about emails, faxes and hard copy letters?

On occasion, we have students who cannot be here in person to conduct transactions. Unfortunately some of these cases involve students who are hospitalized. Other cases involved students who are incarcerated. There are extenuating circumstances that will allow us to conduct transactions such as withdrawing students. Students who send emails, faxes and hard copy letters should include the following in their correspondence: name, SUNY Broome ID (B#), birth date, high school attended and zip code. For processing purposes, the date that SUNY Broome receives the correspondence will be used. Please refer all of these special cases to the Registrar's Office, SS 105.