

Policy Information

Number: 2.21

Name: Privacy of Educational Records Policy

Author: Policy Committee

Effective Date: February 27, 2020

Next Review Date: AY2024–2025

Regulatory Authority

- [Family Educational Rights and Privacy Act](#) (FERPA) (34 CRF Part 99)
- [Minnesota Government Data Practices Act](#) (Minnesota Statute Chapter 13)

Part 1. Policy Statement

Minnesota State complies with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, 34 CFR 99; the Minnesota Government Data Practices Act, (MGDPA) Minn. Stat. Ch 13, Minn. Rules Ch 1205; and other applicable laws and regulations concerning the handling of education records. Accordingly, North Hennepin Community College (NHCC) adopts this policy and its corresponding procedure (2.21.1). Notwithstanding any other provision of this policy, the following information is defined as Limited Directory Data will be shared for purposes of sharing with LeadMN so the association can communicate with their members: Student name, e-mail address, and Student Change Code (NEW/RTN/DROP).

Part 2. Definitions

Subpart A. Student

A student is an individual who has applied for enrollment, is currently enrolled, or has been formerly enrolled at NHCC. A student is an individual receiving educational services by any method. All students have the same rights regarding their educational data regardless of age.

Subpart B. School Officials with a Legitimate Educational Interest

A person employed by North Hennepin Community College in an administrative, supervisory, academic or research, or support staff position; 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 a student serving on an official committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. The college will release information in student education records to appropriate school officials when there is a legitimate educational interest.

Subpart C. Educational Data

Educational data are those records directly related to a student and maintained by North Hennepin Community College. Educational data include, but are not limited to admissions materials, financial aid records, transcripts, class lists, class schedules, graded exams or papers, records of disciplinary proceedings, photographs, work study records and more. Educational records do not include:

1. financial records of the student's parents or guardian;
2. confidential letters or statements of recommendation placed in education records before January 1, 1975, or after January 1, 1975, if the student waived right of access;
3. records of instructional personnel that are kept in the sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute for the maker and are destroyed at the end of the school year;
4. records of law enforcement units (if law enforcement unit is a separate entity and the records are maintained exclusively by and for law enforcement purposes);
5. employment records related exclusively to a student's employment capacity (not employment related to status as a student, such as work study) and not available for use for any other purpose;
6. medical and psychological treatment records that are maintained solely by the treating professional for treatment purposes;
7. records that only contain information about a student after that individual is no longer a student at the institution (alumni data).

Subpart D. Valid Government Identification (ID)

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

1. NHCC Student ID
2. State Driver's License
3. State ID
4. US Passport
5. Military ID

6. Tribal ID
7. Government Visa
8. Permanent Resident ID
9. Naturalization ID
10. Certificate of Citizenship
11. Federal Work Permit
12. Mexican CID card
13. Valid International Passport

Part 3. Campus Review

Review Action

Date(s)

Diversity, Equity, and Inclusion Committee Review:	October 7, 2019—October 18, 2019
Campus Community Review Period:	October 21, 2019—November 4, 2019
AFSCME Review:	December 4, 2019
MAPE Review:	December 4, 2019
MMA Review:	December 4, 2019
Shared Governance Council Review:	December 22, 2019
Student Senate Review:	December 5, 2019
Interim President Jeffrey Williamson Approval:	February 27, 2020
Campus Community Dissemination:	September 22, 2020

History

- Formerly NHCC V.02.08, adopted 15-Apr-2008
- Revised Spring 2012
- Revised Spring 2017
- Revised Fall 2019, added directory information released to LeadMN; approved by Provost Jesse Mason by proxy for Interim President Jeffrey Williamson.