

## **Family Educational Rights and Privacy ACT (FERPA)**

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR, Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he/she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students".

Eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies. Students have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the student has the right to place a statement with the record setting forth his/her view about the contested information.

Generally, schools must have written permission from the student in order to release any information from a student's education record. However FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies, and
- State and local authorities, with a juvenile justice system, pursuant to specific state law

Schools may disclose, without consent, "directory" information such as: a student's name, address, telephone number, date and place of birth, honors and awards, and date of attendance. However, schools must tell students about directory information and allow students a reasonable amount of time to request that the school not disclose directory information about them.



Schools must notify students annually of their rights under FERPA. The actual means of notification (special letter, student handbook or newspaper article) is left to the discretion of each school.

The Admissions Director is the "records officer" for the District. Current and former students can review their education records by completing or filing a request in the Registrar/Admissions & Records Office. Such records will be made immediately available when possible or within fifteen (15) days of written request. If the review results in a dispute, the District Registrar will initiate an informal proceeding in an attempt to resolve the matter. If the dispute continues, a grievance may be filed with the Vice President of Student Services.

## **Know your Copyrights**

Reference: AP 3720

Gavilan College students are prohibited from using the District's computers and information network to illegally download or share music, video, and all other copyrighted intellectual property. Gavilan College supports the Higher Education opportunity Act and Digital Millennium Copyright Act, including efforts to eliminate the illegal distribution of copyrighted materials.

## **Non-Discrimination**

Education Code Sections 66250 et seq. 72010 et seq., and 87100 et seq.;

Title V, Sections 53000 et seq. and 59300 et seq.;

Penal Code Section 422.55;

Government Code Sections 12926.1 and 12940 et seq.

Accreditation Standard II.B.2.c

BP 3410/AP 3410

The Gavilan College Community College District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District is an equal opportunity employer committed to hiring a diverse staff. All qualified individuals regardless of race, color, religion, sex, national origin, age, disability, military status, sexual orientation, or marital status are encouraged to apply. If you have a verifiable disability, and require accommodation to complete an application contact the Equal Opportunity Officer at 408-848-4753.

## **Prohibition of Harassment and Hate Crimes**

Reference: Education Code sections 212.5; 66252; 66281.5

BP 3430/AP 3430

The District is committed to providing an academic and work environment that respects the dignity of all. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment and hate crimes, including those which are based on any of the following statuses; race, color, religion, ancestry, national origin, disability, sex (i.e., gender), sexual orientation, gender identity, gender expression and nationality, or the perception that a person has one or more of the foregoing characteristics.

Any student who feels they have been subjected to harassment or a hate crime is to contact the Equal Opportunity Officer at 408-848-4753.