

## ***Student Policy - Privacy and Regulation of Student Records***

### **Policy:**

Bismarck State College shall comply with the specification and regulation of public law 93-380 known as the "Family Educational Rights and Privacy Act;" and in so doing, shall protect student privacy and regulate access to privileged information contained in students' records.

### **College Records:**

Refer to the Student Records/Privacy Act in the current college catalog.

### **Control of Confidential Information:**

All information, not designated "directory information," such as health and medical records, disciplinary records, records of personal counseling, required student and family financial income records, transcripts or student permanent academic records, student placement records and other personally identifiable information shall be open for inspection only to the student and such members of the professional staff of the College as have responsibility for working with the student, and, when appropriate, to the parents or guardian of the student.

### **Definition of Parental Rights:**

Once a student reaches the age of eighteen (18) or is enrolled in a postsecondary program, parents no longer have rights under the law to student records' information unless (1) the student gives written consent to release the information to the student's parents, or (2) the parents provide evidence that the student is a dependent of the parents as defined in Section 152 of the Internal Revenue Code of 1954. Such information will not be released to second parties without the written consent of the student.

### **Designated Custodian:**

Except as required for use by the President of the College in the discharge of his official responsibilities as prescribed by laws, regulations of the state, and College policies, the designated custodian of such records may release information from these records to others only upon authorization in writing from the student or upon a subpoena by a court of competent jurisdiction.

### **Reference:**

Public Law 93-380  
Internal Revenue Code of 1954 - Section 152

### **History of This Policy:**

First policy draft April 25, 1978.

Revisions - August 11, 1987; July 18, 1990; August 3, 1994; June 6, 1998.