

03-06-00 Confidentiality of Student Records

PURPOSE

The purpose of this policy is to protect the confidentiality of records for students of Nashville State.

POLICY

I. Confidentiality of Student Records

- A. Nashville State Community College works in compliance with the Family Educational Rights and Privacy Act of 1974, as amended to protect the confidentiality of personally identifiable educational records of students and former students. Students have:
 1. The right to inspect and review information contained in the student's education records.
 2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise 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 disclosure without consent.
 4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by Nashville State to comply with the requirements of FERPA.
- B. "Directory information" concerning students is treated as public information and may be released to outside parties unless otherwise requested by the student. A student who desires not to have any or all directory information released must complete the appropriate form in the Records Office. The request shall remain in effect unless or until revoked by the student.
 1. "Directory information" includes student name, date of birth, address, telephone number, email address, major field of study, participation in recognized activities, dates of attendance, full-time/part-time status, degrees and awards received, and the most recent educational institution attended by the student.
- C. Graduating/transferring students desiring non-disclosure after leaving Nashville State Community College must complete the request prior to the end of their last term. The request for non-disclosure will remain in effect until revoked by the student.

- D. NSCC does not make a practice of supplying student lists to third parties. We reserve the right to limit distribution to on-campus departmental requests.
- E. Each faculty and staff member employed by the Board of Regents or its institutions is individually responsible for complying with the Buckley Amendment, and violations may subject the faculty or staff member to disciplinary action.
 - 1. Appropriate references to this policy shall be included in each faculty and staff handbook and shall be included in orientation sessions for new employees who work with or have access to student records.

II. Procedures to Inspect and Review Records

- A. Students wishing to review their educational records should submit to the Director of Records and Registration a written request, which identifies as precisely as possible the record or records he or she wishes to inspect.
- B. The Director of Records and Registration will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 30 days or less from the receipt of the request.
- C. When a record contains information about more than one student, the student may inspect and review only the records that relate to her- or himself.

III. Procedures for Requesting Amendment to Education Records

- A. Students who believe that their educational records contain information that is inaccurate, misleading, or otherwise in violation of their privacy or other rights may discuss their problems informally with Vice President of Student Affairs and Enrollment Management. If he/she is in agreement with the student's request, the appropriate records will be amended. If not, the student will be notified within a reasonable period of time that the records will not be amended. The student will be informed by the Vice President of Student Affairs of his/her right to a formal hearing.
- B. Student requests for a formal hearing must be made in writing to the Vice President of Student Affairs who, within a reasonable period of time after receiving such requests, will inform students of the date, place, and time of the hearing. The hearing panel, which will adjudicate such challenges, will be the individuals who have been designated by the Associate Vice President of Student Affairs office to conduct hearings involving students' petitions. Decisions of the hearing panel will be final, be based solely on the evidence presented at the hearing, consist of written statements summarizing the evidence and

stating the reasons for the decisions, and be delivered to all parties concerned.

IV. Disclosure of Student Record Information

- A. Nashville State will disclose information from a student’s education record only with the written consent of the student except when release is authorized by law and by NSCC. Personally identifiable information from the student’s record may be released without consent to school officials who have a legitimate educational interest in the student’s education records.
1. School Officials are those individuals who are employed by the institution in an administrative, supervisory, academic, or support staff position or are designated to administer federal, state, and locally approved education assistance programs for specific NSCC students in coordination and cooperation with the College.
 2. Legitimate Educational Interest is determined by the “need to know” of the school officials who are acting in the student’s educational interest. It will include any authorized interest or activity undertaken in the name of the College for which access to an education record is necessary or appropriate to the proper performance of the undertaking. It is the responsibility of the designated Records Custodian to assess the legitimate education interest or “need to know” of the requesting individual(s).
 3. Student Alcohol or drug possession or use. Public institutions of higher education are required to notify the parent or legal guardian of a student under 21 years old if the student commits a disciplinary violation with respect to use or possession of alcohol or a controlled substance.
- B. Students who desire that any or all of the listed Directory information not be released may complete the appropriate form in the Records Office. This request will remain in effect unless or until revoked by the student.

SOURCES

- [T.C.A. § 49-8-203](#)
- [Family Educational Rights and Privacy Act](#) (FERPA).

RELATED POLICIES

- [TBR S-020 Confidentiality of Student Records](#)
- [TBR 3.02.03.00 Confidentiality of Student Records](#)

Approved by NSCC Cabinet 7/12/21; updated 3/12/23 and 12-11-23