

EDUCATIONAL RIGHTS AND PRIVACY ACT (BUCKLEY AMENDMENT)

The Family Educational Rights and Privacy Act of 1974, as amended, establishes specific rights for students and/or their parents and prevents the release of certain information without the written consent of the student. Generally, this federal law gives students, former students, and alumni the right to review, in the presence of college personnel, their own personal records maintained by the college, including academic and financial records.

Parents of dependent students, as defined by the Internal Revenue Service, may have access to the college records of their dependent sons or daughters without student consent. Parents do not have the right to see records of children who are no longer dependent upon them.

At Broome Community College the repository for student records is the Office of the Registrar (SS 105). This office is open weekdays from 8:00 AM to 5:00 PM during the academic year.

In keeping with the spirit of Section 438 of the Act, the Registrar has been appointed as Records Access Office. The following procedures have been developed for the benefit of the student and eligible parent:

1. a. A student in attendance at Broome Community College shall, upon request, be able to view his/her educational records at the Office of the Registrar within 45 days of the date of said request. This request must be made in the Office of the Registrar.
- b. A parent or guardian of a student in attendance at Broome Community College, Who claims a student, as a dependent on his/her Federal Income Tax Form shall, upon proper presentation of the dependency condition, be afforded the same rights as set forth in Paragraph 1a. Further, in cases of divorce the school 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.
2. Access to personally identifiable information about a student without the consent of the student may Be provided by the college to the following individuals or agencies only:
 - a. School Officials with a legitimate educational interest. A school official is defined as a person employed by the college in an administrative, supervisory, academic or support staff position (including law enforcement unit and health staff); 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. 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.
 - b. School officials of educational institutions to which a student might transfer.

- c. Authorized state and federal government officials of educational and funding agencies.
 - d. Educational research agencies, with the provision that they release only non-personally identifiable data.
 - e. Accrediting organizations.
 - f. The U.S. Department of Defense under the Solomon Amendment.
3. Disclosure Without Approval of Student or Eligible Parent:
- a. Upon receipt of a Judicial Subpoena of the records of a student, a reasonable attempt will be made to notify the student or the parent of the existence of the order of the subpoena in advance compliance therewith unless subpoena states otherwise.
 - b. In the event of an emergency involving the health or safety of a student, the Registrar may disclose information to Federal or State Officials.
 - c. Directory Information – The name of the student, full-time or part-time status, dates of attendance, BCC e-mail address, honors, and degree earned and date of graduation, photograph, participation in officially recognized activities and sports, weight and height of members of athletic teams, will constitute the total amount of information given to any individual making inquiry at Broome Community College, unless the student or eligible parent refuses to permit the disclosure. The student or eligible parent must notify the Registrar within two weeks of the beginning of semester classes that such personally identifiable information is not to be designated as directory information with respect to that student.
4. Broome Community College shall, on request, provide an opportunity for hearing in order to challenge the content of a student's education records to insure that information in the education Records of the student are not inaccurate, misleading, or otherwise in violation of the rights of privacy or other rights of student. The request for a hearing will be directed to the Registrar.