

## **UA Local 290 College of Mechanical Systems & Technology Access to Student Records Policy**

### **I. Objectives:**

The Federal Family Educational Rights and Privacy Act of 1974, as amended, and its implementing federal regulations affords to persons who are currently, or were formerly, in attendance at the UA Local 290 COMSAT as registered students a right of access to their "educational records" that contain information directly related to such persons. Persons who unsuccessfully applied for admission to the UA Local 290 COMSAT are not covered by the Act. The Act also restricts the persons to whom the UA Local 290 COMSAT may disclose a student's education records without the student's written permission. Records required by the Oregon Equal Employment Opportunity in Apprenticeship rules (OAR 839-011-0200) will be maintained for five (5) years; all other records will be maintained for five (5) years after the final action taken by the committee on the apprenticeship agreement. All period of enrollment, financial, academic, and current educational progress records are available at the institution. Preserving and protecting student coursework, testing, and records are provided by the use of off-site servers, storage devices, duplicate physical or digital records, locked security file cabinets, or other measures that ensure both the preservation and security of the records from fire, theft, vandalism, and other adverse actions.

### **II. Activities to Achieve the Objectives:**

#### **Records Covered**

"Educational records" of a student include records, files, documents, and other materials regularly maintained by the UA Local 290 COMSAT that contain information directly related to a student and that are maintained in connection with the student's attendance at the UA Local 290 COMSAT. Some financial materials are located at Zenith American Solutions and can be accessed by contacting ZAS directly.

There are many types of records that are specifically excluded from the scope of the Act. For example, a student is not entitled to examine the following:

1. Records, such as those that might be maintained by the UA Local 290 COMSAT's legal counsel, the confidentiality of which is protected by law without a court issued subpoena.
2. Records containing financial information, such as information submitted in connection with an application for financial aid.

#### **Access Rights of Students**

##### **a) Procedure**

A student may obtain access to his or her education records by making application to the Office Manager. UA Local 290 COMSAT is required to grant the request within 45 days. The office manager will contact the student and invite him or her to inspect them.

**(b) Copying**

A student will ordinarily not be provided with copies of any part of his record other than his transcript, unless the inability to obtain copies would effectively prevent him from exercising his right to inspect and review his education records. In cases where copies will be provided, the UA Local 290 COMSAT may impose a charge for making such copies at such uniform rates as it shall determine. In general, the charges imposed will not exceed \$.10 per page. An exception is the case of transcripts, which are free.

**(c) Other Rights**

1. A student also has the right to be provided with a list of the types of educational records maintained by the UA Local 290 COMSAT that relate to students.
2. A student may request that his records be amended to eliminate any information contained therein that he believes is inaccurate, misleading, or violates his privacy or other rights.
3. If the UA Local 290 COMSAT decides to refuse to amend a student's records, he or she is entitled to a hearing to challenge the content of his or her educational records in order to insure that the records are not inaccurate, misleading, or otherwise in violation of his or her privacy or other rights. Normally, an informal hearing will suffice with an Assistant Coordinator of the UA Local 290 COMSAT who has authority to make changes in a student's records. If a student is dissatisfied with the results of such a hearing, the student should be referred to the Trustees of the UA Local 290 JATC.
4. If, after a hearing, the UA Local 290 COMSAT decides that the student's records are not inaccurate, misleading, or otherwise in violation of his or her privacy or other rights, the student has the right to place in his or her records a statement commenting upon the information and/or setting forth any reasons for disagreeing with the decision of the UA Local 290 COMSAT.

**Access by or Release to Others**

**a) General**

The UA Local 290 COMSAT will not generally permit access to, or release of, educational records or personally identifiable information contained therein to any party without the written consent of the student. The UA Local 290 COMSAT may, however, as provided in the Act, release such data to certain persons including:

1. Officials of the UA Local 290 COMSAT who have a legitimate educational interest in obtaining access to the records. Such access will be granted if the official needs to review an educational record in order to fulfill his or her professional responsibility.
2. Persons who require access in connection with the student's application for, or receipt of, financial aid.
3. The UA Local 290 COMSAT may release such information in compliance with a judicial order or pursuant to any lawfully issued subpoena. As a general policy, before any information is so released the UA Local 290 COMSAT will first notify the student at the student's most recent address as shown in the records maintained by the main Office. However, in compliance with the Act, some judicial orders and subpoenas issued for law enforcement purposes specify that the UA

Local 290 COMSAT cannot disclose to any person the existence or contents of the order or subpoena or the information furnished in compliance with it.

4. In connection with an emergency, the UA Local 290 COMSAT may release information from educational records to appropriate persons if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

**(b) Release with the Student's Consent**

Upon written consent or request by a student, the UA Local 290 COMSAT will release information from the student's educational records to third parties. The student should make a request for such release to the department or office having custody of the record involved. The UA Local 290 COMSAT may impose a charge for copying a student's records in connection with such release.

**(c) Transfer of Information to Third Parties**

It shall be a condition of the release by the UA Local 290 COMSAT of any personal information on a student to a third party that the party to which the information is released will not permit any other party to have access to such information without the written consent of the student. An institution to which such information is released may permit its officers, employees, and agents to use such information but only for the purposes for which the disclosure was made. These restrictions do not apply to certain subpoenas and court orders.

**General**

Copies of the preceding Guidelines and Statement of Policy are available on the UA Local 290 COMSAT website at [www.ua290.org](http://www.ua290.org). You may view the Federal Family Educational Rights and Privacy Act on the U.S. Department of Education website at: [www.ed.gov/policy/gen/guid/fpco/ferpa/index.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html)

**III. Roles & Responsibilities:**

1. The Director of Training will be responsible for all access requests. The DOT will direct the administrative support staff to process the request and provide the requested document(s) at a scheduled time.

**IV. Guidelines for Review and Evaluation of Policy:**

The Access to Student Records Policy will be reviewed annually by the Institutional Advisory Committee and JATC. These committees will take into consideration apprentice feedback on the ease and effectiveness of Student Records Requests, any new or additional laws, etc. Should there be a necessary change, it will be the responsibility of the Director of Training to carry out these changes and publish the revised plan.

## RELEASE OF STUDENT RECORDS TO A THIRD PARTY

I, \_\_\_\_\_, request that my student records be sent to:

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

I understand that this request may take 45 business days to fulfill.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **ACCESS TO STUDENT FILE**

I, \_\_\_\_\_, request access to my entire student file.

I understand that I must view this file in the presence of the Office Manager or a member of the administrative staff.

I further understand that I cannot remove anything from the file.

If I want a copy of anything in the file, I need to ask the office manager or administrator to make a copy and pay any costs associated with copying.

I understand that this request may take 45 business days to fulfill.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICIAL COPY OF APPRENTICESHIP TRANSCRIPT**

I, \_\_\_\_\_, request that my Apprenticeship Transcript be sent to:

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

I understand that this request may take 45 business days to fulfill.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_