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ADMINISTRATIVE RULE

Rule Number/Name:	050.005.000 - Disclosure of Student Records
Responsible Department:	Student Services
Authority:	Registrar

Overview

Columbia Gorge Community College shall follow all applicable state and federal laws, rules and regulations that apply to student records. All information contained in the college records which is personally identifiable to any student shall be kept confidential and not released except upon prior written consent of the subject student or upon the lawful subpoena or other order of a court of competent jurisdiction. Student information may be shared among college faculty and staff on an official “need to know” basis.

Applicability

Students, Faculty and Staff

Administrative Rule Statement

The college will disclose information from a student's education records only with the written consent of the student, except in the following cases:

1. The disclosure is to other college officials, including faculty and advisors within the college, who have a legitimate educational interest in the records.
2. The disclosure is to officials of another school, school system or an institution of postsecondary education where the student seeks or intends to enroll.
3. Disclosure to certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.
 - a. The disclosure is for the purposes of an audit or evaluation of federal or state-supported education programs or for the enforcement of or compliance with federal or state legal requirements which relate to those programs and is to authorized representatives of:
 - i. The Comptroller General of the United States;



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- ii. The Secretary of the United States Department of Education; or
 - iii. State and local educational authorities.
 - b. Information that is collected for these purposes must be protected in a manner that does not permit personal identification of individuals by anyone except the officials referred to above and be destroyed when no longer needed.
4. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - a. Determine eligibility for, amount of the aid; or conditions for the aid; or
 - b. Enforce the terms and condition of the aid.
5. Any party who receives student records containing personally identifiable information from the college may disclose that information to a third party only if the student has been notified of the re-disclosure and its purpose in the original disclosure notice and has consented to the re-disclosure. Exceptions may be permitted for such re-disclosures without prior student consent as provided in OAR 589-004-0500.
6. The disclosure is to organizations conducting studies.
 - a. The disclosure is to organization conducting students for, or on behalf of, the college to:
 - i. Develop, validate or administer predictive tests;
 - ii. Administer student aid programs; or
 - iii. Improve instruction.
 - b. The college may disclose information under this section only if:
 - i. The study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization;
 - ii. The information is destroyed when no longer needed for the purposes for which the study was conducted.
 - c. For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.
7. The disclosure is to accrediting organizations to carry out their accrediting functions.
8. The disclosure is to comply with a judicial order or lawfully issued subpoena. The college may disclose information under this section only if the college makes a



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reasonable effort to notify the student of the order or subpoena in advance of compliance.

9. The disclosure is to the parents of a dependent student, as defined in Section 152 of the Internal Revenue Code.
10. The disclosure is to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals.
11. The disclosure is information the college has designated as “directory information.”

Prior Consent to Disclose Information

1. The student shall provide written consent before a college discloses personally identifiable information from the student’s education records except as provided under Disclosure of Education Records, above and in accordance with this rule.
2. The consent must:
 - a. Specify the records that may be disclosed;
 - b. State the purpose of the disclosure; and
 - c. Identify the part or class of parties to whom the disclosure may be made.
3. When a disclosure is made, if the student so requests, the college shall provide him or her with a copy of the records disclosed. Records disclosed may consist of a list of the data elements listed in Oregon Community College Unified Reporting System (OCCURS) records.
4. A record of consent shall be maintained for as long as the individual's records are maintained.

Record of Request for Disclosure

The college shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record keeping requirements shall include the student who is the subject of the record, college official with a legitimate educational reason under OAR 589-004-0500 (1), a party with written consent from the student or a party seeking directory information. The college shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:



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1. The party or parties who have requested or received personally identifiable information from the education records and the legitimate interests the parties had in requesting or obtaining the information;
2. The names of the additional parties to which the receiving party may disclose the information on behalf of the college; and
3. The legitimate interests which each of the additional parties has in requesting or obtaining the information.

Electronic Records

Colleges that maintain electronic records may flag those records to refer to disclosure information which applies to all students.

For the purpose of the ongoing submission of records to the Oregon Community College Unified Reporting System (OCCURS), a single record or electronic flag referring to OCCURS policy on data elements collected and transmitted shall constitute appropriate record keeping.

Definitions

1. *Financial aid*: Any payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at an educational agency or institution.
2. *Oregon Community College Unified Reporting System (OCCURS)*: An informal consortium of community colleges, the Office of Community College Services and the Oregon Community College Association, acting together to provide standard data and reporting formats necessary to improve community college programs, evaluate program effectiveness, and report to various governing bodies and agencies. OCCURS staff and committees acting in support of OCCURS are agents of the consortium members for the purposes of this policy and State law.

Interpretation of Administrative Rule

Registrar

Cross Reference to Related Administrative Rules

1. CGCC Administrative Rule 030.004.000 – Educational Records



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2. CGCC Administrative Rule 030.006.000 – Right of Inspection, Review, and Amendment of Educational Records
3. CGCC Administrative Rule 030.007.000 – Hearing Rights of Students

Further Information

Registrar

registrar@cgcc.edu

(541) 506-6011

Strategic Direction

Appendix

1. CGCC Operating Procedure 050.006.001 – Educational Records Inspection Request
2. CGCC Operating Procedure 050.007.001 – Hearing Requirements
3. [Family Educational Rights and Privacy Act](#)
4. [Internal Revenue Code Section 152 – Dependent Defined](#)
5. [Oregon Administrative Rule 589-004-0500 – Penalties for Misuse](#)