



Book	Board Policies
Section	CHAPTER 5: Student Services
Title	Student Records, Directory Information, and Privacy
Code	Interim BP 5040
Status	Active
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Interim BP 5040 Student Records, Directory Information, and Privacy

References:

Education Code Sections 66271.4 and 76200 et seq. Title 5 Sections 54600 et seq.; 20 U.S. Code Section 1232g subdivision (j); ACCJC Accreditation Standard II.C.8

1. The District Chancellor shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.
2. The District Chancellor may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.
3. Any currently enrolled or former student of the District has a right of access to any and all student records relating to him/her/them maintained by the District. Upon request by a former student of the District, the District will update and reissue student records to include an updated legal name or gender. These documents include but are not limited to transcripts or a diploma.

Commencing with the 2023–24 graduating class, a graduating student may request the District confer the diploma in the student's chosen name. The District cannot require a graduating student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's chosen name listed on the student's diploma.

4. A student may ask the College to amend a record that they believe is inaccurate or misleading. The student should write the College official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
5. Students have 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. Student information may be disclosed to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel 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 a student serving on an official committee, such as a disciplinary or grievance committee, 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 to fulfill his or her professional responsibility. Sole possession records are not considered part of the education record and are not subject to FERPA.

6. No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.
7. Students shall be notified of their rights with respect to student records, including the definition of directory information defined below, and that they may limit the information.
8. Federal and State laws provide that the college may release certain types of "Directory Information" unless the student submits a request, in writing to the Registrar that certain or all such information is not be released without his/her/their consent. Directory information shall include:
 1. Student participation in officially recognized activities and sports including weight, height, and high school of graduation of athletic team members.
 2. Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean's List recognition.

Also see BP/AP 3310 Records Retention and Destruction; AP 5040 Student Records, Directory Information, and Privacy; and AP 5045 Student Records – Challenging Content and Access Log.

Replaces former SMCCCD BP 7.28