

The Blackhawk Technical College policy on privacy of records and releasing of information follows the directives outlined in the Family Educational Rights and Privacy Act (FERPA). FERPA affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day that the College receives a request for access.

Students should submit, to the Registrar, written requests that identify the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write to the Registrar, 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 students, 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.

3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Exceptions to FERPA include:

Directory Information – This is information that the College may release, without student consent, to any third party. Blackhawk Technical College defines the following information as Directory Information:

- Student Name
- Address
- Telephone Number
- BTC Assigned Student E-mail Account
- Birth Date
- Major Field of Study
- Full-time or Part-time Status
- Dates of Attendance
- Degrees and Awards Received
- Participation in Activities

According to federal law (Solomon Amendment) the College must release to the United States military recruiters “student recruitment information” which includes student name, address, telephone number, date of birth, degrees received and field of study. The College will release this information to the United States military recruiters unless a “Confidential” hold has been placed on the student’s record.

Students have the right to restrict the disclosure of Directory Information. To do this a student must make the request in writing to the Registration Office. The request will remain in effect until the student notifies the Registration Office in writing the information should no longer be withheld.

Only Directory Information can be released over the telephone as long as the student does not have a “Confidentiality” hold on his/her record. Any and all information that any person or department may have concerning a student, not listed above, is not Directory Information. As such, none of this information can be released to any third party without the written permission of the student.

Authorized Federal, State and Local Authorities – Student authorization is not required for disclosure to an authorized representative of the following individuals or entities:

- Comptroller General of the United States
- Secretary of Education
- U.S. Attorney General (for law enforcement purposes only)
- State education authorities
- Any party legitimately connected with a student’s application for, or receipt of, financial aid
- Accrediting organizations
- Agencies involving an audit or evaluation of compliance with education programs
- Organizations conducting studies for or on behalf of educational institutions

Other Educational Institutions – Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

Emergency Situations – Information can be released to law enforcement personnel, emergency personnel and College officials in an emergency in order to protect the health or safety of students or other persons.

Judicial Order – Information will be released to comply with a judicial order or lawfully issued subpoena. However, the College will make a reasonable effort to notify the student in advance. However, if the court or issuing agency has ordered that the existence or contents of the subpoena or judicial order not be disclosed, the College will comply.

Legitimate Educational Interest – Officials of the College who are determined by the College to have a legitimate educational interest may have access to student records without obtaining consent from the student if the information requested is necessary for that official to:

- perform appropriate tasks that are specified in his/her position description or by a contract agreement,
- perform a task related to a student’s education or discipline,
- provide a service or benefit relating to the student such as counseling, advising, job placement or financial aid.

Officials of the College include:

- persons employed by the College in an administrative, supervisory, academic, research, or support staff position.
- persons or companies with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as attorney, auditor, collection agency).
- persons serving on College governing bodies.
- students serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks (work study).

Signed Release – Personnel employed by the College may disclose student information to appropriate outside persons or agencies if they have a written release. The written release of information must:

- specify the records to be released,
- state the purpose of the disclosure,
- identify the party or class of parties to whom disclosure may be made, and
- be signed and dated by the student.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failure by Blackhawk Technical College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Reference: Family Educational Rights and Privacy Act
Wisconsin Statutes 19.32(2)
Wisconsin Statutes 118.125(1)(b), 118.125(1)(d), 118.125(2) and 118.125(2)(j)

Policy Adopted: February 19, 1975
Revised: December 16, 1987; March 20, 2002; October 19, 2005; January 16, 2008;
May 19, 2010