

# ADMINISTRATIVE PROCEDURE

## Southwestern Oregon Community College

### AP 5045 Student Records: Challenging Content and Access Log

#### References:

20 U.S. Code Section 1232g  
OAR 589-004-0350

Southwestern Oregon Community College maintains a record of each request for access to, and each disclosure of, personally identifiable information from the education records of each student. The student may inspect and review their education records.

Southwestern Oregon Community College will provide students the opportunity to inspect and review their records within a reasonable period of time, but in no more than 45 calendar days after the request has been received.

The right of inspection and review includes:

1. The right to reasonable explanations and interpretations of the records.
2. The right to a copy of the student's education records pursuant to ORS 192.440, except that no copy of test protocols, test questions and answers, and other documents described in ORS 192.501(4) shall be provided unless required by federal law.

Some limitations exist on students' rights to inspect and review their education records, including:

1. Education records that include other students' information. The student may inspect, review or be informed of only the specific information about that student.
2. Financial records of the student's parents.
3. Confidential letters and statements of recommendation if the student has waived his or her right to inspect the letters and statements under the procedure in 34 CFR, Section 99.12(b)(3).

If a student believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, they may ask the college to amend the record. This procedure is not to be used to change grades. Student seeking to challenge their grades shall submit the [Grade Appeal form](#).

A decision will be made as to whether to amend the record as requested within a reasonable time after the request is received. If the decision is to not amend the record as requested, the student will be informed of the decision and of their right to an appeal.

#### Challenging Content

Any student may file a written request with the Registrar or Designee to amend their student records that the student alleges to be:

- Inaccurate;
- Misleading; or
- In violation of the student's rights of privacy.

Within 10 college business days of receiving a request to amend a student's record, a decision will be made on whether to amend the record as requested. If the Registrar decides not to amend the record, the Registrar will inform the student of the decision and their right to an appeal. If requested, Southwestern Oregon Community College will provide the student with an opportunity for an appeal to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.

An appeal will be held within 14 college business days of receiving the student's request. The student will be given notice of the date, time, and place, of the appeal 2 days in advance. The appeal officer will be a Southwestern Oregon Community College official who does not have a direct interest in the outcome of the appeal. Southwestern Oregon Community College will provide the student with a full and fair opportunity to present relevant evidence. At the student's own expense, an individual(s) of student's own choice, including an attorney, may assist or represent the student at the appeal. Southwestern Oregon Community College will provide a written decision within 7 college business days after the appeal. The decision will be based solely on the evidence presented at the appeal and will include a summary of the evidence and the reasons for the decision.

If, as a result of the appeal, Southwestern Oregon Community College decides the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it will amend the record accordingly and inform the student of the amendment in writing.

If, as a result of the appeal, Southwestern Oregon Community College decides the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it will inform the student of the right to place a statement in the record commenting on the contested information or stating why they disagree with the decision of the agency or institution, or both.

If Southwestern Oregon Community College places a statement in the student's education records, Southwestern Oregon Community College will maintain the statement with the contested part of the record and will disclose the statement whenever it discloses the contested portion of the record.

### **Access Log**

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.
- The log or record shall be open to inspection only by the student and the Registrar or Designee, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

### **Policy on Permanent Records**

The college provides for the retention of permanent records in a manner secured from accidental destruction or intentional tampering. Permanent Records include the following:

1. Name of the college;
2. Full name of student;
3. Student's date of birth;
4. Date of entry into college;
5. Name of school or college previously attended

6. Subjects taken
7. Assignments of student work in those subjects;
8. Credits earned;
9. Date of withdrawal from college;
10. Social security number (subject to Use of Social Security Number, below); and
11. Southwestern's student identification number.

Adopted: December 13, 2023

*Southwestern Oregon Community College does not discriminate on the basis of race, color, gender, sexual orientation, marital status, religion, national origin, age, disability status, gender identity, or protected veterans in employment, education, or activities as set forth in compliance with federal and state statutes and regulations.*