
Administrative Procedure

AP 5040 STUDENT RECORDS, DIRECTORY INFORMATION, AND PRIVACY**References:**

Education Code Sections 66093.3 and 76200 et seq.;
Title 5 Sections 54600 et seq. and 59410;
Civil Code Sections 1788.90 et seq. and 1798.85;
20 U.S. Code Section 1232g subdivision (j) (U.S. Patriot Act);
ACCJC Accreditation Standard II.C.8

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

Collection and Retention of Student Information

The District shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the institution's benefit programs.

The District shall maintain in writing District policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

The District will provide students and families with annual notice, at the beginning of each school year, of institutional policies for student privacy and the abilities of parents or eligible students to inspect student information.

The District will provide students an opportunity to opt out of disclosure of directory information. Notices must describe the following:

- The kind of information that the school has identified as directory information;
The period of time in which the eligible student has to notify the school in writing that he/she/they does not want the information designated as directory information; and

- That opting out by the noted deadline is the students' only way to prevent the release of directory information.

Any sensitive information, such as a student's, parent's, or guardian's SSN, any AB 540 determinations, or citizenship status information collected by the District or disclosed by the student, should be maintained only for as long as necessary.

If the District possesses information that could indicate immigration status or

records, unless the information is relevant for a legitimate educational interest or includes directory information only. Neither exception permits disclosing information for immigration enforcement purposes; no student information shall be disclosed for immigration enforcement purposes without a court order or judicial warrant. Without a court order or a judicial warrant, written consent must be signed and dated by the student, or (if the student is a minor) by the student's parent(s) or guardian(s), before disclosure of the information, and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

If desired by the student, the District must provide a copy of the records to be released. The party to whom the information is disclosed may not re-disclose the information to any other party without the prior consent of the student or subsequent court order.

District personnel shall develop a written policy for interactions with immigration authorities seeking to review student records. At minimum, such policies shall include the following information:

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by, or attributed to, the individual. This restriction does not apply to information regarding the immigration or citizenship status of an individual.

Unless the District is served with a judicial subpoena or court order that by its terms prohibits disclosure to the student, the student must be notified of any judicial order or subpoena before the institution complies with the order in accordance with FERPA.

Charge for Transcripts or Verifications of Student Records

A student/former student shall be entitled to two free copies of the transcript of his/her/their record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her/them, at a designated rate per copy. Students may request special processing of a transcript. The District will not refuse to provide a transcript for a current or former student on the grounds that the student owes a debt; condition the

- The individual is provided an annual disclosure that informs the individual that he/she/they has the right to stop the use of his/her/their social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

Responsibility

The Director of Admissions and Records shall be responsible for the
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be released. All other directory information shall not be published or released to the public.

Notice to Students

Students shall be advised of their rights regarding student records in the Schedule of Classes during each enrollment and on an annual basis in the Long Beach City College catalog. Appropriate administrative regulations and procedures shall be communicated to them at that time.

Miscellaneous

- A. **Financial Charges** - The District may assess a reasonable charge for furnishing copies of any student record.

- B. **Transfer of Student Records** - Provided that there are no holds placed on records due to outstanding indebtedness or other factors, the District, upon the written request of a student, or another institution, shall transfer validated copies of all educational records to the designated institution.

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

Approved: March 12, 1991

Revised: August 25, 2021

(Replaces LBCC AR 5010)