



AP 5045 Student Records: Challenging Content and Access Log

References:

- 20 U.S. Code Section 1232g
- OAR 589-004-0350
- AP 5999 Student's Rights Freedoms and Responsibilities

The Family Education Rights and Privacy Act (FERPA) gives students who reach the age of 18 or who attend a post-secondary institution the right to inspect and review their own education records.

Students and former students may obtain the Request to Inspect and Review Educational Records form by contacting the [Enrollment Services department](#). Students must be able to inspect and review their education records within a maximum of 45 days after they request to do so. RCC makes every effort to give students access well in advance of the 45 days. The right of inspection and review includes:

- The right to an explanation and interpretation of the record.
- The right to a copy of the education records when failure to provide a copy of the record would effectively prevent the student from inspecting and reviewing the record.

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

- Financial information submitted by parents.
- Confidential letters and recommendations placed in their files prior to January 1, 1975.
- Confidential letters and recommendations placed in their files after January 1, 1975, to which the student has waived his or her right to inspect and review and that are related to the students' admission, application for employment or job placement, or receipt of honors.
- Education records containing information about another student.

Furthermore, students have the right to challenge and request amendment of their education records which the students consider to be inaccurate, misleading, or otherwise in violation of their privacy or other rights. This procedure is not to be used for requests to change grades. Students who seek to challenge their grades shall submit the [Grade Change](#) petition.

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;
- An unsubstantiated personal conclusion or inference;
- A conclusion or inference outside of the observer's area of competence;
- Not based on the personal observation of a named person with the time and place of the observation noted; or
- In violation of the student's rights of privacy.

Within 10 working 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 a meeting to appeal the decision. If requested, Rogue Community College will provide the student with an opportunity for a meeting to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, an unsubstantiated personal conclusion or inference; a conclusion or inference outside of the observer's area of competence; not based on the personal observation of a named person with the time and place of the observation noted; or in violation of the privacy rights of the student.

An appeal meeting will be held within 14 working days of receiving the student's written meeting request to challenge the contents of the student's education records. The student will be given notice of the date, time, and place, of the meeting no later than 2 days in advance. The meeting will be led by the Dean of Student Success who does not have a direct interest in the outcome. Rogue Community College will provide the student with a full and fair opportunity to present relevant information. As is allowed in the Students' Rights, Freedoms, and Responsibility statement, an individual(s) of student's own choice, may assist or represent the student at the meeting. Should the student desire legal representation, the student will bear the burden of cost for an attorney. Rogue Community College will provide a written decision to the student within 7 working days after the meeting. The decision will be based solely on the evidence presented during the meeting and will include a summary of the evidence and the reasons for the decision.

If, as a result of the appeal meeting, the Dean of Student Success decides the information is:

- Inaccurate;
- Misleading;
- An unsubstantiated personal conclusion or inference;
- A conclusion or inference outside of the observer's area of competence;
- Not based on the personal observation of a named person with the time and place of the observation noted; or
- In violation of the student's rights of privacy.



The record will be corrected accordingly and the Dean of Student Success will inform the student of the correction in writing.

If, as a result of the appeal meeting, the Dean of Student Success decides the information in the education record is not:

- Inaccurate;
- Misleading;
- An unsubstantiated personal conclusion or inference;
- A conclusion or inference outside of the observer's area of competence;
- Not based on the personal observation of a named person with the time and place of the observation noted; or
- In violation of the student's rights of privacy.

The Dean of Student Success will inform the student of the right to place a statement in the record commenting on the contested information or stating why the student disagree with the decision of the agency or institution, or both.

If the Dean of Student Success places a statement in the student's education records, Rogue 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.

Rescinds Procedure Number: AP-013 (partial)

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