



Student Data Privacy

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and the Minnesota Government Data Practices Act, (MGDPA), and Minn. Stat. Ch. 13 are federal and state laws that provide for the review and disclosure of student educational records. In accordance with these and other applicable laws, Minnesota West Community & Technical College has adopted the following policy.

Definitions

The following definitions apply for the purpose of this policy:

Student means individuals currently or formerly enrolled or registered, applicants for enrollment registration at a public educational agency or institution, or individuals who receive shared time educational services from a public agency or institution. All students at a higher education institution have the same rights regarding their educational data irrespective of age.

Educational data or educational records means data in any form directly relating to an individual student maintained by a public educational agency or institution or by a person acting for the agency or institution.

Educational records do not include:

1. Financial records of the student's parents or guardian.
2. Confidential letters or statements of recommendation placed in education records before January 1, 1975, or after January 1, 1975, if the student waived right of access.
3. Records of instructional, administrative, and educational personnel which are kept in the sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute for the maker and are destroyed at the end of the school year.
4. Records of law enforcement units (if law enforcement unit is a separate entity and the records are maintained exclusively by and for law enforcement purposes).
5. Employment records related exclusively to a student's employment capacity (not employment related to status as a student, such as work study) and not available for use for any other purpose.
6. Medical and psychological treatment records, which are maintained solely by the treating professional for treatment purposes.
7. Records that only contain information about a student after that individual is no longer a student at the institution (alumni data).

Notice of Policy

Students are informed of their rights under federal and state privacy laws through this policy.

Access to Student Records

Minnesota West will not permit access to or the release of personally identifiable information contained in student educational records without the written consent of the student to any third party, except as authorized by the MGDPA and FERPA or other applicable law. A copy of an informed consent release form is available from the Registrar's Office. A written consent generally must: 1) specify the records that may be disclosed; 2) state the purpose of the disclosure; 3) identify the party or class of parties to whom the disclosure may be made; and 4) be signed and dated by the student. If the release is for disclosure to an insurer or its representative, the release must also include an expiration date no later than one year from the original authorization, or two years for a life insurance application. If the student requests, the school shall provide him or her with a copy of the records released pursuant to the informed consent.

Release without Consent

As allowed by the MGDPA and FERPA, Minnesota West will release student records without consent as follows:

1. To appropriate school officials who require access to educational records in order to perform their legitimate educational interest" (see explanation below).
2. To other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment and transfer.
3. To federal, state, or local officials or agencies authorized by law.
4. To complete a student's application for, or receipt of, financial aid.
5. To accrediting organizations or organizations conducting educational studies, provided that these organizations do not release personally identifiable data and destroy such data when it is no longer needed for the purpose it was obtained.
6. Upon adequate proof, to the parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954.
7. To comply with a judicial order or subpoena, provided a reasonable effort is made to notify the student in advance unless such subpoena specifically directs the institution not to disclose the existence of a subpoena.
8. To appropriate persons in an emergency situation if the information is necessary to protect the health or safety of the students or other persons.
9. To an alleged victim of a crime of violence (as defined in 18 U.S.C. Sect 16) or non-forcible sex offense, the final results of the alleged student perpetrator's disciplinary proceeding may be released.

School Officials with a "legitimate educational interest"

Minnesota West will release information in student education records to appropriate school officials as indicated in (1) above when there is a legitimate educational interest. A school official is a person employed by Minnesota West 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, 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.

Record of Requests for Disclosure: Where required by law, a record of requests for disclosure and such disclosure of personally identifiable information from student education records shall be maintained by the campus registration office for each student and will also be made available for inspection pursuant to this policy. If the institution discovers that a third party who has received student records from the institution has released or failed to destroy such records in violation of this policy, it will prohibit access to educational records for five (5) years. Records of requests for disclosure no longer subject to audit nor presently under request for access will be maintained according to the school's applicable records retention policy.

Credit Card Issuers Notice

2007 Minnesota Law, Chapter 144, Article 2, Section 9 {135A.145} Minnesota West Community and Technical College including its agents, employees, student or alumni organizations, or affiliates may not sell, give, or otherwise transfer to any card issuer the name, address, telephone number or other contact information of students enrolled at Minnesota West without the student's consent. Minnesota West will also not enter into any agreement to market credit cards to our students.

Directory Information

Student directory information may be released without the student's written consent. Students who do not want their directory information released must notify the Office of the Registrar in writing. Directory Information includes:

1. Name
2. Address
3. Telephone number
4. Major field of study
5. Participation in officially recognized activities and sports - including height and weight of athletes
6. Classification (freshman, sophomore)
7. Enrollment status
8. Dates of attendance or graduation
9. Degrees, certificates and awards received

Limited Directory Information

Notwithstanding any other provision of this policy, the following information is defined as Limited Directory Data for purposes of sharing with LeadMN so the association can communicate with their members:

1. Student name
2. Email address
3. Student change code
4. Star ID
5. Tech ID

Star ID and Tech ID numbers are defined as Limited Directory Data for enterprise technology related purposes internal to the Minnesota State Colleges and Universities system that are approved by System Office IT, including, but not limited to, inclusion of email addresses and star ID numbers in a directory accessible to Minnesota State students and Employees. Student contact information, including personal email address, will be available to the Minnesota West Foundation.

Student contact information, including personal email address and StarID, will be available to third party vendors that provide services for the college.