

STATEMENT OF CONFIDENTIALITY OF KERN COMMUNITY COLLEGE DISTRICT RECORDS

All employees of the Kern Community College District (KCCD) (administrative, faculty, staff and student workers) are required to abide by the Family Educational Rights and Privacy Act (20 U.S.C. 1232g) (FERPA) and other laws governing review and release of confidential and/or personal records.

Access to student records is provided to the student, persons having written consent of the student, by court order or subpoena, and to appropriate college staff members. Access may also be provided to individuals or entities with whom KCCD has contracted to provide services who are obligated by contract and/or by law to comply with FERPA.

Student privacy rights include the right to:

- Inspect and review Information contained in educational records
- Request correction or elimination of inaccurate or misleading information in the student's record
- Prevent the disclosure of personally identifiable information
- Obtain a copy of the College's policy concerning educational privacy rights
- File complaints with the Department of Education if the College fails to comply with the Educational Privacy Act

The definition of educational records is any record (in handwriting, print, computer files, tapes, film, or other medium) maintained by KCCD or an agent of KCCD which is directly related to a student, except 1) records of instructional, supervisory, administrative, and certain educational personnel which are in the sole possession of the maker of the record and are not accessible or revealed to any other person except a temporary substitute for the maker of the record; 2) records maintained by a law enforcement unit of KCCD; 3) records related to Individuals who are employed by KCCD; 4) records of a physician or other appropriate professional.

Inappropriate use of confidential and/or personal records, whether online, written, printed, taped, or filmed, is a violation of the law and could result in civil and/or criminal prosecution. Under no circumstances should a KCCD employee intentionally or unintentionally divulge confidential and/or personal information about any other KCCD employee or student to anyone who has not been authorized to receive such information by the appropriate KCCD administrator charged with maintaining the data being requested.

Access to one or more of KCCD's Systems will be granted to those KCCD employees who have received approval from their supervisors and the KCCD administrator charged with maintaining the data being requested.

KCCD employees who have been granted access to any of KCCD's Systems must accept the responsibility of working with confidential and/or personal records and comply with the rules governing the use of these records. The following rules apply to all KCCD employees with access to any of KCCD's Systems:

1. Every KCCD employee will use only his/her logons and passwords. Logons and passwords are to be kept confidential and should not be shared or given to anyone, including supervisors, co-workers, student employees, or friends. It is the responsibility of each KCCD employee to change passwords on a regular basis or whenever he/she feels someone else (supervisors, co-workers, student workers, friends, or others) may have obtained access.
2. Each KCCD employee is held responsible for any data that is input with his/her logon or password while using KCCD's Systems. Only authorized input for adding or modifying data is allowed.
3. Each KCCD employee is held responsible for any data retrieved while using KCCD's Systems. Only authorized data may be retrieved. Confidential and/or personal records must not be left in view of others or made accessible to anyone who has not been authorized to receive or view such information by their KCCD position or by their KCCD supervisor.

4. To protect sensitive data, including student's personally identifying information or directory data as defined in FERPA and confidential personnel information from unauthorized disclosures or access, storing any sensitive data on a thumb drive, external hard drive, CD/DVD, other portable media device, or using Internet-based services that copy data to a third party, such as DropBox or Google Drive is prohibited.

CONFIDENTIALITY ACKNOWLEDGEMENT

I, _____ [Printed Name of employee], hereby acknowledge I have received, reviewed and completely understand all the information in the STATEMENT OF CONFIDENTIALITY OF KERN COMMUNITY COLLEGE DISTRICT RECORDS. I understand that it is my responsibility to preserve the confidentiality of any and all records that I view or have access to during and after the course of my employment with the Kern Community College District. I understand that records may be confidential by virtue of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g) and other laws. Under these privacy laws, I may not disclose information about either KCCD employees or KCCD students, unless I am certain that a provision of the law allows disclosure in particular circumstances.

If in doubt about the confidentiality of any record or my ability to legally disclose information, I agree to consult with my supervisor before disclosing any student or employee information.

I understand that any violation of this STATEMENT OF CONFIDENTIALITY OF KERN COMMUNITY COLLEGE DISTRICT RECORDS may range from a warning, to restriction of use, to disciplinary action, and/or legal action.

Employee's Signature

Date