

## Student Services

CCLC 42 updated this legally required policy to state that a district will develop and implement a process for students, staff, and faculty to declare an affirmed name, gender, or both pursuant to changes in the Education Code. This is a 10+1 and ACCJC linked. Mici 5-25-2023

To Jonathan/Jon H. 6-28-2023

To Academic Senate

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

Education Code Sections 66271.4 et seq. and 76200 et seq.;  
Title 5 Sections 54600 et seq.;  
20 U.S. Code Section 1232g subdivision (4);  
ACCJC Accreditation Standard II.C.8

The Superintendent/President shall assure that student records are maintained in compliance with applicable state and federal laws relating to the privacy of student records.

The Superintendent/President may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to him/her/them maintained by the District. The Superintendent/President shall implement a system by which current students can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a current student, the District shall update any records for the student to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to District-issued email addresses, student identification cards, class rosters, transcripts, diplomas, certificates of completion of courses, or similar records. Upon request by a former student of the District, the District will update and reissue student records to include an updated legal name or gender. These documents include but are not limited to transcripts or a diploma.

Commencing with the 2023–24 graduating class, a graduating current student may request the District confer the diploma in the student's ~~chosen~~ affirmed name. The District cannot require a graduating student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's chosen name listed on the student's ~~diploma~~ records.

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable state and federal laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Name
- Level of education
- Academic majors
- Enrollment Status by Term (enrolled/not enrolled)
- Student participation in officially recognized activities and sports including weight, height, and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards, and Dean's List recognition.

The Solomon Amendment to Family Educational Rights and Privacy Act (FERPA) requires the District, upon request, to provide "student recruiting information" on any currently enrolled student who is at least 17 years of age to any branch of the armed services unless the student has opted out. "Student recruiting information" is defined by federal law as name, address, telephone numbers, age or date of birth, class level, degrees received, major, most recent educational institution attended. The District shall not release student recruiting information to military recruiters for those students who request that such information not be released. The District shall establish procedures for students requesting to have any information withheld.

*Also see BP/AP 3300 Public Records*

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Date Adopted: December 13, 2011 (*Replaces College of Marin Policy 4.0021*)

Date Reviewed/Revised: January 17, 2017; March 14, 2017; June 19, 2018; May 16, 2023

**Date Revised:**