



# Security and Confidentiality Agreement

**Security and confidentiality are matters of concern to all Solano Community College District (SCCD) employees and contract staff, including all persons who have access to student, financial, and employee records.** SCCD is bound by the Family Educational Rights and Privacy Act of 1974 (FERPA), a federal law regarding the privacy of student records. SCCD and its employees are also bound by other federal and state laws, including HIPAA and other medical information protection laws, the Graham-Leach-Bliley Act and PCIDSS laws and regulations protecting payment card and financial information, and California's Information Practices Act of 1977, to protect financial, employment and medical records. (These laws and regulations are outlined on the reverse side of this document.)

All SCCD employee and student records are to be considered confidential and, therefore, each employee of SCCD is responsible for maintaining the security and confidentiality of these records. This also applies to current or former students who are employed by the District or who are extended work experience opportunities involving access to student, financial or employee records. Regardless of employment status, these students take on the same responsibility as an employee with respect to maintaining security and confidentiality.

An individual's conduct, either on or off the job, may threaten the security and confidentiality of records. Each employee and/or student employee/representative and/or contract staff member is expected to adhere to the following rules and regulations:

1. Employees/Student Employees/Contract Staff will not access or use, or allow others to access or use, any unauthorized information or records maintained, stored or processed by the District.
2. Employees/Student Employees/Contract Staff will not seek personal benefit, or allow others to seek personal benefit, by using any confidential knowledge or information acquired by virtue of their work assignment or access to District records.
3. Employees/Student Employees/Contract Staff will not exhibit or divulge the contents of any record or report to any person except in the conduct of their work assignment and in accordance with the District policies and procedures.
4. Employees/Student Employees/Contract Staff are responsible to know and understand the security and confidentiality policies and procedures particular to their work assignment.
5. Employees/Student Employees/Contract Staff will not knowingly include or cause to be included in any report or record a false, inaccurate or misleading data. Employees/Student Employees/Contract Staff will not knowingly expunge or cause to be expunged any record, transaction or report of data entry.
6. Employees/Student Employees/Contract Staff will not remove any official record or report, or copy thereof, from the office where it is maintained except in performance of their job-related duties.
7. Employees/Student Employees/Contract Staff will not aid, abet or act in conspiracy with another to violate any part of this code.
8. Any knowledge of a violation of this Confidentiality Agreement must be reported to the supervisor immediately.
9. Employees/Student Employees/Contract Staff are responsible for the security and confidentiality of their individual Computer ID and Password and their use access gained through use of the system.

## **Federal Laws and Regulations**

### **Family Rights and Privacy Act of 1974 Policy (FERPA)**

The Family Educational Rights and Privacy Act of 1974 is a federal law regarding the privacy of student records and the obligations of the institution, primarily in the areas of release of the records and access to these records. The Solano Community College District is bound by FERPA and failure to comply with FERPA may result in federal funds being withheld from SCCD.

### **Access to Student Education Records**

College officials (defined as any person employed by the college in an administrative, supervisory, academic, research or support staff position, or a person employed by or under contract to the college to perform a specific task) are permitted to access FERPA protected information IF they have a "legitimate educational interest." A "legitimate educational interest" is one specified in the college official's position, description or by contract agreement, performing a task related to a student's education or the student's discipline, providing a service or benefit relating to the student or student's family (such as health care, counseling, job placement or financial aid) or disclosure of information in response to a judicial order or legally issued subpoena.

According to FERPA, personally identifiable information in an education record may not be released to anyone but a college official without the prior written consent from the student. Education records can exist in any medium. Directory Information is defined as information which would not generally be considered harmful or an invasion of privacy if disclosed. Solano Community College does not release any student information, even Directory Information, without the written consent of the student. Directory Information is only released to the National Student Clearinghouse. Directory Information released to the Clearinghouse includes:

1. student's name
2. birth date
3. dates of attendance
4. degrees and awards received
5. field of study

Student may withhold Directory Information by notifying the Office of Admissions and Records in writing.

Solano Community College District will not release personally identifiable information from a student's education record without the student's prior written consent. Regardless of the student's age, parents are not permitted access to their son's or daughter's education records unless the student has provided written authorization.

#### **District Property – Use of District Equipment**

Business Services Policies Series 3000 & 3340 – The use of District equipment and telephones for personal use is prohibited unless prior authorization has been obtained from the Superintendent-President or the appropriate Vice-President or Dean. Computer and Network Use Administration Policies Series 2000, 2067 – the district offers a variety of resources that support its educational and support programs. Such resources are to be used for college-related activities and the individual must not alter the integrity of the systems and must observe all laws, regulations and contractual obligations.

#### **Other Protected Information**

Other information protected by state and federal laws and regulations includes, but is not limited to:

- Medical Treatment records that include records maintained by physicians, psychiatrists and psychologists
- Financial information, including banking, credit and loan information
- Employment records when employment is not contingent on being a student
- Records created and maintained by a law enforcement unit (campus safety)

Federal and State legislation is extensive and constantly changing. This document is intended only as a high-level overview. Any legislation regarding maintaining the security and confidentiality of information which is binding upon the Solano Community College District, is also binding upon its Employees/ Student Employees/Contract Staff, whether it is mentioned in this document or not.

By signing this Agreement, I understand and accept responsibility for my actions in the performance of my responsibilities which includes access to Solano Community College District records, and shall maintain the privacy of all district data in accordance with policies and procedures of the Solano Community College District. I have read and understand this Agreement in its entirety.

Printed Name: \_\_\_\_\_ Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_