

## How to Respond to Requests for Student Information or Whereabouts

Information related to the District's students, such as contact information, transcripts, and location, is generally considered to be confidential under both federal law (FERPA - the Family Educational Rights and Privacy Act) and state law (Education Code Section 76200). Common exceptions to this general rule include requests accompanied by student consent, a subpoena/warrant, or a court order. In order to ensure that we properly safeguard confidential student information, all requests for such information should be directed to Admissions and Records or Eugene Whitlock, in his role as General Counsel for the District.

This brief FAQ, which should be read in its entirety, is intended to help guide you if you are presented with a request for information. You should not disclose any student information to a third person without first ensuring that you have complied with applicable law and regulations. You can ensure this compliance by consulting with Admissions and Records personnel or the General Counsel for the District.

### **Q. What should I do if a third party, including law enforcement (e.g. police, immigration and customs enforcement, FBI), asks me to turn over records related to a student?**

A. You should not immediately release student records to any third party, including law enforcement. This request should be directed to Admissions and Records, the central repository for all student records. Admissions and Records will handle the release of student records. You may release student records to law enforcement only after Admissions and Records or the General Counsel has given you written permission (via email) to do so.

### **Q. What should I do if a third party or law enforcement says they have a warrant or subpoena for student records?**

A. You should not immediately release student records to any third party, including law enforcement, even if you are presented with a warrant or subpoena. This request should be directed to Admissions and Records. Admissions and Records staff, together with the General Counsel, will review the warrant or subpoena. Admissions and Records will handle the release of student records. You may release student records only after Admissions and Records or the General Counsel has given you written permission to do so.

### **Q. What should I do if third party or law enforcement asks me to tell them where a student is on campus, i.e. what classroom a student is or will be in?**

A. You should not disclose a student's location to a third party, including law enforcement. A student's class schedule is confidential information protected by FERPA and therefore a student's location, i.e. the classroom where the student is or will be, is also confidential. Accordingly, a request for a student's location should be directed to Admissions and Records. You may disclose a student's whereabouts only after Admissions and Records or the General Counsel has given you written permission (via email) to do so.

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### **Q: What should I do if a law enforcement officer comes on campus?**

A: If law enforcement officers, including ICE officers, come to the campus, you are able to request ID and proof they have obtained permission to conduct enforcement at a school, such as a written directive by a superior or a signed warrant. Some officers may not necessarily come in an easily identifiable uniform. You are able to ask if they are conducting a lawful investigation. You are also able to request to see any paperwork they may have to search a certain area or arrest a person. Please notify the President's Office and Public Safety immediately if a law enforcement officer is attempting to access the campus.

### **Q: What should I do if a law enforcement officer contacts me via telephone about a student (or fellow employee)?**

A: If you receive a phone call, be sure to make a written record of the phone conversation. Ask the third party to fax a written inquiry on letterhead to the General Counsel (Fax: 650 574 – 6574). Carefully keep track of when and how the third party contacts you. Although in some cases the law enforcement official will be threatening and/or aggressive, there is no need to panic. Inform the officer that you have protocols in place to make sure inquiries are addressed, and assure him/her that the request will be addressed in a timely manner.

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