



Policy Number: 300.1

Policy Title: Cooperation with Law Enforcement Agencies with Regard to Students

Subject: Section 300 – Student Affairs

Date Adopted: April 27, 2009

Date(s) Revised: September 17, 2012; December 30, 2020

Approved by: 
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POLICY STATEMENT:

All Helena College University of Montana policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations and with Board of Regents' policies and procedures. (This paragraph updated 12/30/2020)

This is a statement of Helena College policy regarding cooperation with law enforcement agencies seeking information about or contact with students currently or previously enrolled at the college. This policy applies to both Helena College campuses and is guided by the following procedures.

PROCEDURES:

I. GENERAL STATEMENT ON COOPERATION WITH LAW ENFORCEMENT AGENCIES

Helena College distinguishes its responsibility for student conduct from the controls imposed by the larger community of which the college is a part; however, Helena College also has an obligation to uphold the laws of the larger community. As members of the larger community, students are subject to all national, state and local laws and ordinances. The College makes no attempt to shield members of the campus community from the law, nor does it automatically intervene in legal proceedings against members of the campus community. The College will cooperate with law enforcement agencies, courts, and any other agencies in programs for rehabilitation of students.

II. RELEASE OF STUDENT INFORMATION TO LAW ENFORCEMENT AGENCIES

All student records are maintained and released in accordance with the Federal Educational Rights and Privacy Act (FERPA) of 1974 (20 U.S.C 1232g) and relevant Montana Statutes.

A. *Definition of a Student Education Record*

Educational records are defined as records that are directly related to the student and maintained by the institution or by a party acting for the institution. Education records do not include instructor's or staff's personal notes on a student which are in the sole possession of the maker, employment records (except work-study records), records created or maintained by a physician, psychiatrist, psychologist, or other recognized professionals, library records and alumni records.

B. **Directory Information**

Helena College has defined the following as directory information and may release it to the public without notifying the student:

- Name
- Address
- Telephone Number
- Date and place of birth
- Major Field of Study
- Enrollment Status (full-time, part-time)
- Participation of officially recognized activities
- Dates of Attendance
- Degrees and academic awards (e.g. dean's list, honor roll, graduation honors)
- Most recent educational agency/institution attended
- College assigned student e-mail address
- Photographic, video, or electronic images

Students may request that directory information not be released without their consent. Requests for non-disclosure need to be made through the Registrar's Office. They are in effect the date the student makes the request and will only be revoked if the student requests it in writing.

C. **Authorized Access to Records Not Requiring Student Consent**

Related to cooperation with law enforcement agencies, educational records (or personally identifiable information within a record) may be released without the written consent of the student to:

- State and local juvenile justice systems or their officials
- Individuals requiring such information by means of a judicial order or lawfully issued subpoena, on condition that the student is notified by the college of all such orders and subpoenas in advance of the compliance.

- Appropriate parties in an emergency if the information will help assist in resolving the emergency.

III. PROTOCOL FOR COOPERATION WITH LAW ENFORCEMENT AGENCIES

1. Members of law enforcement agencies requesting information about or contact with students should be referred to the Executive Director of Enrollment Services or any other available college administrator in the absence of the chief student affairs officer. The college administrator shall be responsible for verifying the identification of the law enforcement official in the absence of an identifying uniform or badge, and the purpose of their request for information or contact with a student. Law enforcement officials inquiring at the Airport Campus should be referred to administration at the Donaldson Campus.
2. Directory information can be provided to law enforcement officials in accordance with FERPA guidelines by either the Executive Director of Enrollment Services or the Registrar's Office. If a student has filed a request for non-disclosure of this information, directory information can be provided without consent in accordance with II.C. If information requested concerning a student is beyond that which is provided for by Directory Information one of the conditions outlined in II.C must be met before disclosure.
3. Any law enforcement official(s) wishing to make contact with a student on college property must demonstrate one of the conditions stipulated in II.C. If there is a determination that any one of the conditions have been met the law enforcement official(s) will be escorted by the Executive Director of Enrollment Services, or any available college administrator in the absence of the chief student affairs officer, to the student's location at either the Donaldson or Airport Campus in the interest of minimizing, to the best extent possible, the disruption of normal campus activities.