

## BLINN COLLEGE ADMINISTRATIVE REGULATIONS MANUAL

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**SUBJECT:** Access to Educational Records of Deceased Students

**EFFECTIVE DATE:** June 20, 2024

**BOARD POLICY REFERENCE:** FJ, GCB

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### PURPOSE

This policy outlines the protection of and guidelines for granting access to educational records of deceased students of the Blinn College District (the College). The policy aims to balance privacy considerations with the legitimate needs of authorized individuals.

### DEFINITIONS

**Family Educational Rights and Privacy Act of 1974, as amended (FERPA):** federal law with the purpose of protecting students' privacy and certain rights pertaining to their educational record.

**Student:** for FERPA purposes, a student is a person that is currently attending or did attend Blinn College District. This includes high school students enrolled in dual enrollment courses. This does not include individuals that applied to Blinn College District and were accepted but did not attend.

**Personally Identifiable Information (PII):** any information connected to a specific individual.

**Educational Record:** are records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution. These records include but are not limited to grades, transcripts, class lists, student course schedules, student financial information, and student discipline files. The information may be recorded in any way, including, but not limited to, handwriting, print, computer media, videotape, audiotape, film, microfilm, microfiche, and e-mail.

**Deceased Student:** A student who has passed away.

**Personal Representative:** The legally appointed Executor, Administrator, or other representative responsible for managing the deceased student's affairs.

### PROTECTION OF AND ACCESS TO EDUCATIONAL RECORDS:

FERPA rights expire upon a student's death and an institution may disclose a deceased student's educational record at its discretion and consistent with State law.

Educational records of a deceased Blinn College student may be accessed only by the personal representative of the deceased student's estate as designated by a Court Order or as determined by applicable state law.

The personal representative must provide official documentation proving their legal authority.

### **AUTHORIZED INFORMATION:**

The personal representative is entitled to access the following information of a deceased Blinn student:

- **Transcripts:** Academic transcripts, including grades, courses taken, and degrees earned.
- **Enrollment Records:** Information related to the deceased student's enrollment status and dates.
- **Financial Records:** Details of tuition payments, scholarships, and financial aid.
- **Disciplinary Records:** If relevant, records related to disciplinary actions.

### **PRIVACY CONSIDERATIONS:**

The College shall maintain the confidentiality of educational records and shall not release educational records to anyone except as allowed by federal and/or state statute in accordance with College policies and regulations.

Except as stated in this administrative regulation, no other individuals (including family members) have automatic access to these records.

Exceptions may be granted as required by federal law, state law, or in compliance with a lawfully issued subpoena.

### **REQUEST PROCESS:**

The personal representative of a deceased Blinn College student's estate must submit a written request for information through the form located at <https://www.blinn.edu/general-counsel/public-information-open-records.html>. The request must include the following information:

- Requestor's name, email address, mailing address, and phone number
- Deceased student's name when enrolled (and former name, if applicable)
- Deceased student's date of birth
- Approximate dates of enrollment of deceased student
- The specific records to be disclosed

The request must include the following documents:

- Copy of the deceased student's official death certificate
- Proof of legal authority of personal representative (e.g., court order, letters of administration, letters of testamentary).

The College District has designated the following mailing address, email address, and fax number for receiving open records requests:

Public Information Request  
902 College Avenue  
Brenham, Texas 77833  
OpenRecordsRequest@blinn.edu  
979-830-4116

Please send the completed form to the designated regular mailing address, email address, or fax number above. *Public information requests sent to any other Blinn College District address, account, or fax number will not qualify as an open records request under the Public Information Act.*

All financial obligations of the deceased student must be resolved with the College's Business Office before official transcripts are released unless the release of transcripts is court ordered or subpoenaed.

#### **RECORD RETENTION:**

In accordance with state regulations and College policies and regulations, institutions shall retain educational records for a specified period after a student's death. Please see the College's records retention policy located at <https://www.blinn.edu/administrative-regulations/pdf/record-retention.pdf> for additional information.