

**AGENCY OF EDUCATION**

**Barre, Vermont**

**TEAM:** Legal

**ACTION ITEM:** Will the State Board of Education approve Massachusetts College of Liberal Arts (MCLA) as the designated entity pursuant to 16 V.S.A. § 175, to act as permanent repository for Southern Vermont College student academic records?

**SECRETARY'S RECOMMENDED ACTION:**

That the State Board of Education approve Massachusetts College of Liberal Arts (MCLA) as the designated entity pursuant to 16 V.S.A. § 175, to act as permanent repository for Southern Vermont College student academic records.

**STATUTORY AUTHORITY:** 16 V.S.A. § 175, State Board Rule 2250

**BACKGROUND INFORMATION:**

State statute requires a postsecondary institution proposing to discontinue its course of instruction to take several steps with regard to student academic records. The institution must inform the State Board, prepare the academic record of each former and current student in a form satisfactory to the State Board, and deliver the records to the person designated by the Board. The Board has promulgated rules consistent with statute.

The statute and rules do not state any criteria that the State Board should consider when designating a person to act as permanent repository for a closing institution's student records. The statute states that students and former students "shall be entitled to copies of their records" after paying a "reasonable" fee. 16 V.S.A. § 175(c).

Southern Vermont College (SVC) will discontinue operations effective after the Spring 2019 semester. The College has entered into a teach-out agreement with MCLA under which MCLA will enroll a significant proportion of SVC's current students, as well as take over SVC's baccalaureate program in radiologic sciences.

MCLA and SVC have signed an agreement that provides for MCLA to serve as custodian of record for SVC student education records. MCLA is in North Adams, Massachusetts. The institution's proximity to SVC is an advantage to the Vermont students whose records will be transferred under the agreement. The two institutions will take steps to inform former and current students of the transfer and methods for accessing their academic records at MCLA.

The Agency of Education does not have the staff or space to act as an appropriate custodian of student academic records. The Agency is not authorized by law to charge a fee to a student who requests his or her student record, if the record were to be housed at the Agency.

**POLICY IMPLICATIONS:** None.

**EDUCATION IMPLICATIONS:** Protection of student right to access academic transcripts.

**FISCAL IMPLICATIONS:** None.

**STAFF AVAILABLE:** Emily Simmons, General Counsel