



Assessment Center

Records Policy

No information from records, files or other ICC data directly related to a candidate other than public information defined below, shall be disclosed to individuals or agencies outside the ICC without the written consent of the candidate, except those disclosures set forth in the section on Public Information.

Definition of Candidate Record

Candidate records are defined as those records, files, documents and other materials which contain information directly related to the candidate and are maintained by the ICC or a party acting for the ICC. Examination materials are not considered part of candidate records.

Definition of Candidate

For the purpose of this policy, a candidate is defined as any individual currently or previously certified, or taken an ICC examination.

Public Information

The following is a list of information which may be made available by the ICC without prior consent of the candidate and which is considered part of the candidate's public record: Name, address (city and state), and currently held certifications. The information will not be made available if a candidate directs a written instruction to the appropriate records official.

Types and Location of Records

ICC maintains a file on each candidate containing applications, grade reports and/or other performance evaluations, and correspondence. ICC has designated the Director of the Assessment Center as responsible for candidate examination/certification records. The Assessment Center is located in the Eastern Regional Office at 900 Montclair Road, Birmingham, Alabama 35213.

The above shall hereinafter be referred to as "records official." The records official is responsible for maintaining a listing of candidate records within such records official's area of responsibility, indicating the location and general content of the records. Any candidate request concerning records or files, including request that public information not be disclosed, request for disclosure to third parties, and requests for access by the candidate should be directed to this official. This person will also act as the hearing officer when the content of a record is challenged as provided below.

Disclosure of Candidate Records to the Candidate

The candidate is accorded the right to inspect, in the presence of an ICC staff member, records, files and data primarily and directly related to the candidate. To inspect a file a candidate should initiate a request in writing. A time for inspection shall be granted within 45 days of the date of the request. Examinations taken by the candidate are not files directly related to the candidate and are not available for candidate review.

If the candidate wishes to receive their records in writing, the candidate shall complete the appropriate Records Release Form and return the form and payment (if applicable) to the address listed on the form.

Providing Records to Third Parties

The general policy of ICC is to refuse access to or disclosure of information from candidate records, except for public information, to third parties without the written consent of the candidate. Should a candidate wish to have such records released, the candidate shall complete the appropriate records release form and send to ICC. ICC will then grant access to the information.

Candidate records are available to the following persons with the accompanying conditions without written consent of the candidate:

1. Administrative personnel whose duties include responsibilities to candidates which in the institution reasonably require access to candidate records.
2. Certain representatives of federal departments or agencies or state educational authorities as provided by the law that administer and /or regulate the State License Law and need access for this purpose only.
3. In response to lawful subpoena or court order.

ICC will keep a record, indicating the name and legitimate interest of all disclosures except those made to a candidate, those made pursuant to written consent, those designated as public information, and those made to persons at ICC with a legitimate educational interest. This record of disclosure will become a part of the candidate record, subject to inspection and review.

Types of Record Release Forms

*Records Release Form for Candidates - Completion of this form will provide the candidate or third party the examination date, pass/fail status, and/or historical and current certification period. This does not release the actual score.

*Records Release Form for Jurisdictions - Completion of this form will provide notification if a candidate's examination score meets their passing requirements. This does not release the actual score.

Challenging the Contents of the Record

ICC will respond to any reasonable request for an explanation or interpretation of any item in a candidate's file. Requests for such explanations or interpretations should be addressed in writing to the appropriate records official.

If, after inspecting a record, a candidate believes that information contained in their record is inaccurate or misleading or violates his or her privacy, the candidate may request that the record be amended by presenting such a request in writing to the appropriate records official. A request that the record be amended shall be answered by the records official, within 15 days of receipt, with information that the record has been amended as requested or that the record has not been amended and that the candidate has a right to a hearing with the ICC Certification Committee.

A written request for a hearing should be addressed to the records official, who will set a date and time for hearing with reasonable notice of same to the candidate. The request for hearing should identify the item or items in the file to be challenged and state the grounds for the challenge, e.g., inaccuracy, misleading nature, inappropriateness.

The Certification Committee shall examine the contested item, hear the person responsible for placing the item in the file if appropriate, and examine any documents or hear any testimony the candidate wishes to present. A candidate may be assisted or represented by individuals of his or her choice, including an attorney, at his or her own expense. The Certification Committee shall decide that the item should be retained or that it should be deleted or altered. The Certification Committee Chair shall issue a written decision, based solely on the evidence presented at the hearing, within 10 days of the conclusion of the hearing. If the decision is adverse to the candidate, the notice of decision shall include a statement that the candidate has the right to place a statement in the record commenting on the information and/or setting forth reasons for disagreeing with the decision.

Any candidate who believes that ICC has violated his or her right to access or privacy of candidate records as established by the Family Education Rights and Privacy Act of 1974, as amended, the accompanying regulations published at 45 Federal Register 30911, as amended at 45 Federal Register 86296, and this policy may address a complaint to:

The Family Educational Rights and Privacy Act Office
Department of Education
400 Maryland Avenue SW
Washington, DC 20202

For specific information about the ICC Candidate Records Policy, contact the Assessment Center at 900 Montclair Road, Birmingham Alabama 35213 or customersuccess@iccsafe.org.