

Privacy and Release of Student Education Records

Office of the University Registrar

Privacy and Release of Student Education Records

Issued: 01/01/1974

Revised: 01/01/2007

Edited: 02/2011

The Family Educational Rights and Privacy Act of 1974, as amended, sets forth requirements designed to protect the privacy of student education records. The law governs access to records maintained by educational institutions and the release of information from those records. A notice is published each semester via the student's Heidelberg email to explain the rights of students with respect to records maintained by the university. It also outlines the university's procedures to comply with the requirements of the Act. Copies of the Act, the Federal Regulations adopted pursuant to it, and this notice are available for persons to examine in the Office of the University Registrar, 310 E. Market St., 115 University Hall, Tiffin, OH 44883.

Definitions

Education Record

- A. The meaning of "education records" is, with certain exemptions as listed below, those records, files, documents, and other materials which contain information directly related to a student, and are maintained by any employee or agent of the university. The following categories of information are exempted and are not considered to be "education records:"
 - a. Records made by university personnel who are in the sole possession of the maker and are not accessible or revealed to any other person.
 - c. Medical and counseling records used solely for treatment. (Medical records may be personally reviewed by a physician of the student's choice.)
 - d. Records only related to a former student (alumni records). Records of that individual while a student continue to be considered education records.
- B. All records pertaining to students which are maintained by university offices are official university records, and as such, remain the property of the University.
- C. Each university unit has an obligation to keep a record of requests and disclosures of student record information except when the request is from the student, a university official with a legitimate educational interest, someone requesting directory information, or related to a request with consent from the student. Students have the right to review this record of requests and disclosures of student record information.

Policy Details

I Right to Inspect and Review

Students are granted the right to inspect and review all of their education records, except the following:

1. Financial records of parents.
2. Confidential letters and statements of recommendation placed in education records prior to January 1, 1975.
3. Confidential letters and statements of recommendations for admission, employment, or honorary recognition placed in education records after January 1, 1975, for which students have waived their right of access.

II Waiver of Rights of Access

Students may waive their right of access to confidential letters and statements of recommendation. Even if the student signs a waiver, upon request, the names of all persons making confidential recommendations will be made available. Employees or agents of the university may not require a student to waive his or her right of access for receipt of university benefits or services.

III Procedures for Inspection and Review

- A. Requests to review records must be made separately, in writing, to each office maintaining records. That office has 45 days to respond to requests to review and inspect. However, arrangements will be made as expeditiously as possible.
- B. Information contained in education records will be fully explained and interpreted to students by university personnel assigned to, and designated by, the appropriate office.
- C. Students have the right to review only their own records. When a record contains information about more than one student, disclosure cannot include information regarding the other student(s).

IV Right to Challenge Information in Records

- A. Students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or inappropriate.
- B. This process includes an opportunity for amendment of the records or insertion of written explanations by the student into such records.
- C. The right to challenge grades does not apply under the Act unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.

V Procedures for Hearing to Challenge Records

- A. Students challenging information in their records must submit, in writing, a request for a hearing to the appropriate office maintaining the record, listing the specific information in question and the reasons for the challenge.
- B. Hearings will be conducted by a university official who does not have a direct interest in the outcome of the hearing.
- C. Students shall be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge, as referenced in item IV.
- D. The hearing officer will render a decision, in writing, noting the reason and summarizing all evidence presented within a reasonable period of time after the challenge is filed.
- E. Should the hearing be in favor of the student, the record shall be amended accordingly. Should the request be denied, an appeal may be made, in writing, and submitted to the University Registrar within 10 days of the student's notification of the decision of the hearing officer. The appeal shall be heard by an Appeals Board of three disinterested senior university officials and a decision rendered, in writing, within a reasonable period of time.
- F. Should the appeal be in favor of the student, the record shall be amended accordingly. Should the request be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. When disclosed to an authorized party, the record will always include the student's statement and notice of the Board's decision, as long as the student's record is maintained by the university.

VI Consent for Release Required

Consent must be obtained from students for the release of information from education records, specifying what is to be released, the reasons for release, and to whom, with a copy of the record sent to the student if he or she desires.

VII Release without Consent

A. The requirement for consent does not apply to the following:

1. Requests from faculty and staff of Heidelberg University who have a legitimate education interest on a "need to know" basis, including student employees or agents of the institution, if necessary to conduct official business, as authorized by the University Registrar. Legitimate educational interest includes performing a task related to the regular duties of the employee or agent, the student's education, the discipline of a student, a service or benefit for the student, or maintaining safety and security of the campus.
2. A Student serving on an official university committee.
3. Requests in compliance with a lawful subpoena or judicial order.
4. Requests in connection with a student's application for or receipt of financial aid.
5. Requests by state authorities and agencies specifically exempted from the prior consent requirements by the Act--organizations conducting studies on behalf of the university, if such studies do not permit the personal identification of students to any persons other than to representatives of such organizations and if the personal identification data is destroyed when no longer needed.
6. Information submitted to accrediting organizations.
7. In the case of emergencies, the university may release information from education records to appropriate persons in connection with an emergency, if the knowledge of such information is necessary to protect the health or safety of a student or other persons.
8. To authorized federal officials who have need to audit and evaluate federally-supported programs.
9. The results of any disciplinary proceeding conducted by the university against an alleged perpetrator of a crime of violence to the alleged victim of that crime.
10. Requests for "directory information" (see item VIII).

B. The University may release without written consent for the following:

1. The disclosure is, subject to the requirements of § 99.34, to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
2. Parents when the eligible student is a dependent as defined by the IRS.

C. The university reserves the right to verify the accuracy of any information contained in what purports to be an official university document (e.g. a transcript or diploma) or is provided to a third party. In addition, degrees (any honors, majors, minors and specializations) are considered public information since they are conferred in a public ceremony.

VIII Directory Information

A. Heidelberg University, in accordance with the Act, has designated the following information about students as public (directory) information:

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| 1. Name | 6. Class (Fr, So, Jr, Sr, Gr) |
| 2. School Assigned E-mail Address | 7. Enrollment status (e.g. full-time, part-time, withdrawn) |
| 3. Campus Center Mailbox Number | 8. Date of Birth |
| 4. Photo | 9. Dates of attendance |
| 5. Program of Study (major and campus) | |

- 10. Honors and Degree(s) awarded
- 11. Previous education agencies or institutions attended

- 12. Participation in officially recognized activities and sports
- 13. Weight and height of members of intercollegiate athletic teams

B. Students have the right to have this directory information withheld from the public if they so desire. Each student who wants all directory information to be withheld (including items to be published in the Student Directory) shall so indicate by completing a Change of Information Form which can be obtained from the Office of the University Registrar or any college/ regional campus office. At least ten days should be allowed for processing of these requests.

C. The university receives many inquiries for "directory information" from a variety of sources, including friends, parents, relatives, prospective employers, other institutions of higher education, honor societies, licensing agencies, government agencies, and the news media. Each student is advised to carefully consider the consequences of a decision to withhold "directory information." The university, in all good faith, will not release directory information requested to be withheld, and any requests from persons or organizations outside the university will be refused unless the student provides written consent for the release.

D. The university may publish Student Directory Information on the web via Find People. Student's Directory Information on the web contains name, email address, major and college. To keep directory information from being made public, a student must notify the Office of the University Registrar (in the manner described above).

IX Complaints, Concerns or Suggestions

Any student who has reason to believe that the university is not complying with the Act or this policy should inform the University Registrar in writing. The University Registrar shall promptly review all such allegations. When a full review of an allegation is warranted, the Provost will appoint a body of individuals uninvolved with the allegations for review.

PROCEDURE

I Type, Location, and Custodian of Student Records

Heidelberg University does not maintain education records in one central office. Education records are maintained in the respective colleges and schools (including their placement offices), the Graduate School and Graduate departments, each extended campus office (for extended campus students), and the Office of the University Registrar. Other education records are maintained in the Office of Admissions (for enrolled and former students -- applicants are excluded), Office of Student Affairs (disciplinary records), Office of Student Financial Aid (financial and related information, student employment), Athletic Department (intercollegiate sports), Office of International Affairs, Office of Academic Affairs (academic misconduct) and other offices. Questions regarding individual student records should be directed to the appropriate location. See complete list under Responsibilities.

Responsibilities

Academic Affairs University Hall- Provost
Accounts Receivable University Hall- Business Officer
Admissions University Hall- Director
Alumni Information University Hall- Director
Athletics Seiberling- Athletic Director
Disability Services Campus Center Owen Academic and
Career Support- Director
Education Lavelly-Shedenhelm Education Center- Director

Fees, Deposits & Disburse. University Hall- Business Officer
Financial Aid University Hall- Director
Graduate School- Program Directors
Health Services Stoner Health Center- Director
Honors Office Honors House- Director
ID Card Services Campus Center- Associate Dean of
Student Affairs
International Affairs Campus Center- Director

Libraries Beeghly- Director
Military University Hall- Registrar
Minority Affairs Campus Center- Associate Dean of Student Affairs
Music Brenneman School of Music-Director
Orientation Campus Center- Director of Student Engagement
Placement Offices Campus Center- Owen Academic and Career Support
Registrar's Office University Hall- Registrar

Residence & Dining Halls Hoernemann- Dean of Student Affairs
Student Activities Campus Center- Director of Student Engagement
Student Conduct Campus Center- Dean of Student Affairs
Student Loan Services University Hall- Financial Aid Director
Transportation & Parking Campus Center- Security Director

Resources

U. S. Department of Education, 1-800-872-5327,
<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Contacts Interpretation of the policy or referral to area responsible for maintaining record(s). Office of the University, Registrar419-448-2090.