

UAM OPERATING PROCEDURE 545.1
RE: Restricting/Releasing Student
Education Records

March 16, 1987
Revised: July 1, 2011
Revised: September 22, 2015
Revised: November 15, 2019
Revised: February 24, 2020

The Family Educational Rights and Privacy Act (FERPA) of 1974 (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. "Education records" are "those records, files, documents, and other materials which 1) contain information directly related to a student; and 2) are maintained by an educational institution" as per 20 U.S.C. § 1232g(a)(4)(A); 34 CFR § 99.3. FERPA applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Generally speaking, FERPA allows the University to disclose education records or personally identifiable information from education records in the following circumstances: (1) with the written consent of the student; (2) if the disclosure meets one of the statutory exemptions*; or (3) if the disclosure is "directory information", and the student has not placed a hold on release of "directory information".

At UAM the following items are considered "directory information":

1. Name
2. Address
3. Telephone number
4. Photograph
5. Date and place of birth
6. Nationality
7. Parent's name and address
8. Spouse's name and address
9. Marital Status
10. Religious Preference
11. Number of hours enrolled
12. Number of hours completed
13. Classification by year
14. Dates of attendance at University
15. Major field of study
16. Participation in recognized activities and sports
17. Weight and height (athletic teams)
18. Scholarships, honors, degrees and awards received
19. Name of most recent educational institution
20. Campus e-mail address

Restricting Information

At any time students may restrict the release of any/all “directory information” by visiting the student’s WeevilNet self service account and accessing the “Security” tab on the Personal Information page to enter the restriction. Students should be aware that restricting the release of “directory information” has other consequences. For example, depending upon the particular directory items restricted, the University may not notify a student’s hometown newspaper about awards and honors received, may not verify enrollment to a third party, or may not verify degree completion to a third party.

Release of Information

Except to the extent that FERPA authorizes disclosure without consent*, personally identifiable information from a student’s education records, other than “directory information”, will not be disclosed without prior written consent of the student. This includes the following information concerning a student: 1) Academic (except for academic items listed as “directory information”); 2) Financial; 3) Disciplinary; 4) Health; and 5) Psychological. If a student wants the University to release any and/or all of the above information to a parent, spouse, or other third party, the student must visit the student’s WeevilNet self service account and access the “Release of Information” link below the personal information section. The release is valid from date entered throughout continuous enrollment. Any changes or updates must be submitted through the same link.

The custodian of educational records (the Registrar) will maintain a record of each request for access to and each disclosure of protected personally identifiable information from the education records of each student, which will be maintained with the education records for as long as the education records are maintained.

If information is released by the University, the student may request, and the University will provide, a copy of the records which have been disclosed. The student will be responsible for payment of a copying fee.

***Note: The University may disclose personally identifiable information from a student’s record without consent** to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee, a person or company with whom the school has contracted as its agent to provide a service instead of using school employees or officials (such as an attorney, auditor, collection agent, verification agencies such as the National Student Clearinghouse), or assisting another school official in performing his or her tasks; a volunteer or other party performing an institutional service or function for the University. A legitimate educational interest exists if the official needs to review an education record in order to fulfill his/her professional responsibilities for the University, including, but not limited to, performing a task in furtherance of the University’s educational mission; performing an administrative task outlined in the official’s duties; performing a supervisory or instructional task

directly related to a student's education; or providing a service or benefit for a student such as health care, counseling, job placement, or financial aid. School officials may not access student records for personal reasons.

As well, the University may disclose personally identifiable information from a student's record without consent under the following conditions: 1) "directory information" not specifically restricted by the student; 2) disclosure is to an educational agency or institution where the student intends to enroll or seek services; 3) disclosure is to a federal, state or local agency in connection with an audit or evaluation of a federal or state program or for the enforcement of or compliance with federal or state-supported programs; 4) disclosure is in connection with an audit or evaluation of a federal or state program or for the enforcement of or compliance with federal or state-supported programs; 5) disclosure is in connection with a student's application for or receipt of financial aid; 6) disclosure is to a state or local official to whom such information is required to be reported under any state statute enacted prior to 11/17/74; 7) disclosure is to federal, state or local agencies for the purpose of developing, validating, or administering predictive tests or administering financial aid or improving instruction; 8) disclosure is to an accrediting organization to carry out its accrediting functions; 9) disclosure is to the parents of a dependent student as defined by section 152 of the Internal Revenue Code; 10) disclosure is to comply with a judicial order or a lawfully issued subpoena (the University must make a reasonable effort to notify the student of the order or subpoena in advance of compliance); 11) disclosure is to appropriate persons, agencies, institutions, or organizations in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student and/or of other persons; 12) disclosure is to the student.

Inspect and Review Records

A student has the right to inspect and review his/her education records, with some exceptions under the Act, within 45 days of the day the university receives a request for access. Students should submit to the Office of the Registrar written requests that identify the record(s) they wish to inspect. The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

Amendment of Records

A student has the right to request the amendment of his/her education records that the student believes are inaccurate or misleading. Students should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

Complaints

A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of FERPA. The name and

address of the office that administers FERPA is as follows:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC 20202-4605
Phone: 1-800-872-5327