

Office of the University Registrar

Saint Joseph's University

Policy on Confidentiality of Student Records (Revised: 5/98)

Preface

On June 15, 1973, the President of the institution approved a Policy on Confidentiality of Student Records that affirmed the institution's obligation to protect the students against improper disclosure of information contained in student records.

On November 19, 1974, The Family Educational Rights and Privacy Act of 1974 (FERPA) became law. Amendments were made and the President of the United States signed the amended Act on December 31, 1974. Revised regulations were issued by the Department of Education (published in the Federal Register, April 11, 1988). The regulations are codified under 34 CFR Part 99. A statement informing students of their rights is printed in each term's registration information booklet.

The following statement brings together the University's existing policy with the Federal guidelines. "University" refers to all components of the institution, unless otherwise specified as pertaining to an individual component.

I. STATEMENT ON POLICY

Saint Joseph's University collects and retains information and data about its students for specific purposes that facilitate the students' educational development. These facts and information are retained for designated periods of time. The University recognizes the rights of students in maintaining control over the information about themselves that may be disclosed. It recognizes also that the University has a need for information on students that is relevant to the educational mission of Saint Joseph's. The intention of this policy is to establish the proper balance between the students' rights and the University's need.

The University has an obligation to maintain its records in compliance with the Family Educational Rights and Privacy Act. It has a further obligation to notify students of the existence and location of records and to define the purposes for which information is obtained. The University must provide security for the disclosure of information. It must provide a challenge procedure and remove information that challenge proves inappropriate.

- **Student Record Policy**

Educational records on students are defined as those records, files, documents and other materials that contain information directly related to the student and that are maintained by Saint Joseph's University or by parties acting for it. This includes academic records and demographic information maintained by the Registrar's Office and copies of this information kept by the Deans/Directors and departments; financial records kept by the Treasurer's Office and the Office of the Director of Financial Aid; Development Office records; student credentials and student life records kept by the Vice President for Student Life and data stored by the Computer Resource Center.

Not included are those records that are in the sole possession of the maker and that are not accessible or revealed to any other person except a substitute. Notes made by a professor/staff member intended only for the professor's/staff member's own use are not subject to inspection, disclosure, or challenge.

Other exceptions are:

- Records of the Department of Public Safety and Security, except in those instances where they are transmitted within the University for administrative purpose.
- Student employment records.
- Records on students that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity. Such records, however, must be used only in connection with the provision of service to students. At the request of a student, these records may be personally reviewed by another professional of the student's choice.
- Any and all financial data and income tax forms submitted in confidence by the student's parents in connection with an application for, or receipt of, financial aid.

Definition of Student: For the purposes of this policy, a student is defined as an individual currently or previously enrolled in the University. It does not include prospective students or applicants.

Policy: No information from records, files, and data directly related to a student (other than that which is considered public information) shall be disclosed to individuals or agencies outside the University without the consent of the student in writing, except as permitted by section 99.31 of the FERPA regulations. Information contained in such records may be shared within the University. Data and information originating at another institution will be subject to this policy.

The academic record is a complete history of students' academic endeavors. Except in the case of actual error or in the case of a determination made under "V. Record Challenge," no changes, alterations or editing may be done on the academic record.

II. PUBLIC INFORMATION

Students are entitled to request that any public information concerning them be withheld. Offices maintaining public information must inform students of the publication dates of any public information directory and offer a means for withholding such information.

For the purpose of this policy, the following is considered to be a part of the public record and may be released without prior consent of the student (except as stated above):

1. Name
2. Address (verification only)
3. Telephone (verification only)
4. Date and Place of Birth (Verification only)
5. Major
6. Date of attendance
7. Date of graduation
8. Degrees and Awards Received
9. Participation in officially recognized activities and sports
10. Weight and height of members of athletic teams.

III. UNIVERSITY OFFICERS RESPONSIBLE FOR STUDENT RECORDS

The following University officers are designated as responsible for student records within their respective areas:

1. Vice President for Academic Affairs
2. Dean of College of Arts & Sciences
3. Dean of College of Business & Administration
4. Dean of University College
5. Assistant Deans for Graduate Programs
6. Director of Admissions
7. Director of Library
8. Registrar
9. Vice President for Student Life
10. Director of Counseling & Personal Development
11. Vice President for Finance
12. Director of Human Resources
13. Director of Financial Aid
14. Vice President for Development
15. Director of Campus Ministry
16. Chair, Academic Honesty Board
17. Director of Security and Public Safety
18. Assistant Vice-President for Information Technology

N.B. - The Vice President for Academic Affairs is designated as responsible for oversight of all University record keeping. This office will be responsible for maintaining a University-wide listing of the records, files, and data collected, including the purpose, storage, security, and disposition of all student records.

IV. DISCLOSURE POLICIES

In no case will letters of recommendation and other information obtained or prepared before January 1, 1975, that were written on the assumption or expressed promise of confidentiality to the authors, be available for inspection, disclosure, or challenge. Letters of recommendation and other information written and/or compiled after January 1, 1975, are available to students within the following guidelines:

- A student may waive right-of-access to letters of recommendation that are sought for purposes of admission to any educational agency or institution, for employment, or for application for an honor or honorary recognition. Such waiver must be in writing. On request, however, the student must be notified of the names of all individuals furnishing recommendations and the letters must be used solely for the purpose for which right-of-access was waived. A student is never required to waive his/her right-to-access.
- The University will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.
- A student may request that no directory type information be released by the University by making the request, in writing, to the Office of the Registrar. Upon receipt of the request, no information will be released or verified.

DISCLOSURE TO THE STUDENT:

A student is given the right to inspect, in the presence of a designated staff member, official University records falling within the definition of "educational records" in section 99.3 of the FERPA regulations and subject to the limitations set forth in section 99.12, directly related to himself/herself, upon written request to the designated University officer. Such inspection and explanation of materials, data, and information must be granted within the 45 days subsequent to the request.

- Academic Records
 - ◆ An academic record (from which transcripts are made) and a file are kept for each student. The academic record informs only on academic matters. A notice of disciplinary action, such as suspension and expulsion, which affects the student's academic status, will become part of the file, but will not be noted on the academic record. Notice of such action will be preserved in the student's file until such disciplinary action has been terminated; the notice will be destroyed at that time. Academic records are never destroyed; however, student files are destroyed five years after the student's last attendance.
 - ◆ University records will not reflect the political activities or political beliefs of students. Similarly, faculty and staff are advised to guard against the improper disclosure of information pertaining to the political beliefs and association of students acquired in the course of their work as instructors, advisors, and counselors.
 - ◆ A student is entitled to a transcript of his academic record upon completion of the Request for Transcript form and payment of the required fee. A schedule of fees is set annually and published in the University catalogs. Any transcript issued to the student should include the notation: "This transcript has been issued to the student and may be verified by mail."
 - ◆ A student has the right to inspect an accurate copy of his/her academic record (from which transcripts are made) and is entitled to an explanation of any information recorded on it. When the original is shown, examination should be permitted only under conditions which will prevent its alteration or mutilation.

- ◆ Documents submitted by or for the student in support of his application for admission or for transfer credit should not be returned to the student, nor sent elsewhere at his request. For example, a transcript from another college or high school record should not be sent to a third institution. The student should request another transcript from the original institution. In exceptional cases, however, where another transcript is unobtainable, or can be secured only with the greatest difficulty (as is sometimes true with foreign records), copies may be prepared and released to prevent hardship to the student. The student should present a signed request. Usually the copy, marked as a certified copy of what is in the student's file, should be released. In rare instances the original may be released and copy retained, with a notation to this effect being placed in the file.

DISCLOSURE TO THIRD PARTIES:

Disclosure of information contained in student records is normally controlled by the student. Disclosures will be made to a third party only upon the written request of a student and only on the condition that the third party will not permit additional access by other persons. Release to third parties without the student's consent can be made in the following circumstances:

- **University Officials**

University officials who have a legitimate educational interest in the records are permitted to review them. A University official is a person:

- ◆ **employed by the University in an administrative, supervisory, academic or research, or support staff position.**
- ◆ **employed by or under contract to the University to perform a special task, such as the attorney or auditor.**

- **Legitimate educational interest includes**

- ◆ **to perform a task that is specified in his or her position description or by a contract agreement.**
- ◆ **to perform a task related to a student's education.**
- ◆ **to provide a service or benefit relating to the student or student's family such as health care, counseling, job placement or financial aid.**

N.B. - The contents of the official folder of a student should not be sent outside the Registrar's Office or other records' office except in circumstances specifically authorized by Registrar or the custodian of the other records. Electronic access to student records will be restricted to faculty and administrative officers or their delegates who have a legitimate interest in the material and demonstrate a need to know. A record will be kept of all electronic inquiries.

DISCLOSURES TO PARENTS OF DEPENDENT STUDENT:

Information concerning a student who is dependent as defined in the Internal Revenue Code of 1954 may be released to the student's parents. The Internal Revenue Code defines a dependent student as one who attended an educational institution full-time for any five calendar months of a tax year and who was provided more than one-half his/her support as claimed by the parents on their income tax statement.

DISCLOSURE TO PRIVATE AGENCIES:

- ◆ Students will be notified of requests from philanthropic organization supporting the student. The student will be required to complete the Request for Transcript form and pay the required fee.

- ◆ Requests from research organizations making statistical studies may be honored without prior approval of the student provided that students are not identified by name or other identifying data on the materials released.

DISCLOSURE TO GOVERNMENT AGENCIES:

Properly identified representatives from federal, state or local government agencies may be given the following information if expressly requested:

- ◆ verification of date and place of birth
- ◆ school or division of enrollment and class
- ◆ dates of enrollment
- ◆ degree(s) earned, if any, date, major or field of concentration, and honors received
- ◆ verification of home and local addresses and telephone numbers
- ◆ verification of name and address of parent or guardian.

Concerning release of further information, it should be noted that government investigative agencies as such have no inherent legal right to access to student files and records. However, specific federal and/or state laws may authorize certain types of access without permission of the student. When additional information is requested, it normally should be released only on written authorization from the student. If such authorization is not given the information should be released only on court order or subpoena. If a subpoena or an equivalent legal process is invoked, the student whose record is being subpoenaed should be notified and that subpoena should be referred to the University's legal counsel.

DISCLOSURE TO OTHER INDIVIDUALS AND ORGANIZATIONS:

- ◆ Information furnished to other individuals and organizations should be limited to the items listed below under "Telephone Inquiries" unless the request is accompanied by a transcript release statement signed by the student.
- ◆ Mailing requests for non-institutional purposes are not permitted. Exception to this policy may be made only by the Vice President for Academic Affairs.

DISCLOSURE IN RESPONSE TO TELEPHONE INQUIRIES:

- ◆ The following information may be released since it is deemed part of the public record:
 - whether or not the student is currently enrolled
 - the school or division in which he/she is or was enrolled and his/her class
 - dates of enrollment
 - degree(s) earned, if any, date, major or field of concentration and honors received.

N.B. - A record of such disclosures will be maintained, indicating the parties requesting the information and reason for the request.

DISCLOSURE BY OFFICES OTHER THAN REGISTRAR'S OFFICE:

The foregoing guidelines are applicable to handling any request for academic information about students or former students received by any member of the faculty, administration, or clerical staff. The guidelines are intended to protect the individual's right to privacy and the confidentiality of his/her academic records throughout the institution.

All institutional personnel should be alert to refer promptly to the Registrar's Office other appropriate office requests for transcripts, certifications or other information which that office typically provides. Faculty members and the various institutional offices should restrict their responses to acknowledging when appropriate, the receipt of requests for student information, or limit their response to that information germane to their sphere of responsibility or their relationship to the student, e.g., faculty advisor, major professor, etc.

WITHHOLDING INFORMATION:

- ◆ There may be conditions such as unmet financial obligations, violations of non-academic regulations, etc., under which the University will withhold grade reports, transcripts, certifications, or other information about the student.
- ◆ Disciplinary Records: Disciplinary records are maintained in the Office of the Vice President for Student Life. These records are not available to unauthorized persons on or off campus without the expressed consent of the student involved, except under legal compulsion or in cases where the safety of persons or property is involved. Non-current disciplinary records are periodically destroyed, typically five years after the student's enrollment at the University is completed.
- ◆ Counseling records: Student records in the Counseling and Personal Development are not open to any person on or off campus except a substitute for the professional or para-professional staff, except that such records may be personally reviewed by another professional of the student's choice upon the written request of the student.
- ◆ Credentialing Records: These files contain only letters of recommendation requested by the student. They are open to the student according to the student's choice of waiver option. Credentialing records may be released to specific individuals or agencies upon the written request of the student. The student may request the destruction of outdated letters of recommendation.

V. RECORD CHALLENGE

Students are entitled to challenge and/or add to the factual basis of any record entry contained in student records, other than those records excepted in Section 1. The purpose of such challenge is to insure that entries are not inaccurate or misleading or in violation of the student's privacy or other rights of the student. The substantive judgment of a faculty member about a student's work expressed in grades and/or evaluations is not within the purview of this right to challenge.

The challenge must be submitted to the appropriate University Officer in whose area of responsibility the questioned material is kept. The designated officer will provide the student with the opportunity for a written and personal challenge and will determine whether the material is defective, justifying its correction or removal from the record. The student's written challenge of a record will remain a part of that record regardless outcome of the challenge. An adverse decision may be appealed in writing by the student to the Vice President for Academic Affairs.