

# STUDENT RECORDS

## SECTION NINE

### 9.01 MODEL NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

- 9.01:01** The right to inspect and review the student's education records within forty-five (45) days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, 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.
- 9.01:02** The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They 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.
- 9.01:03** The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- A. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or 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 Supervisors; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
  - B. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
  - C. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll. (NOTE: FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records on request.)
- 9.01:04** The right to file a complaint with the U. S. Department of Education concerning alleged failures by The University of Louisiana at Monroe to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

### 9.02 MAINTENANCE OF RECORDS

Various units at The University of Louisiana at Monroe maintain records relating to students which fall into the following general categories:

- 9.02:01** academic records from schools previously attended
- 9.02:02** degrees awarded
- 9.02:03** academic work
- 9.02:04** grades and other faculty evaluations
- 9.02:05** applications for admissions

- 9.02:06** biographical and identifying information (including name, social security number, sex, marital status, date of birth, residency and citizenship status, ethnic background, academic major and reported prior military service)
- 9.02:07** medical data
- 9.02:08** current student status
- 9.02:09** accounts relating to fees
- 9.02:10** scores of results on various standardized tests and interest/attitude inventories
- 9.02:11** applications and other data relating to financial aid
- 9.02:12** academic advisor notes
- 9.02:13** attendance data
- 9.02:14** letters of recommendation
- 9.02:15** class rolls
- 9.02:16** academic and disciplinary offenses
- 9.02:17** applications for employment, and
- 9.02:18** counseling records

The official academic records keeper at The University of Louisiana at Monroe is the University Registrar. Other University offices maintaining student records are the Deans of the Colleges, Academic Department Heads, Academic Advisors, Student Services and Judicial Affairs, Career Services, Financial Aid, Controller, Counseling Center, International Students and Veterans Affairs, University Police, Student Health Center, Graduate Office, Student Affairs, Library, Athletics, and Public Affairs.

### **9.03 ACCESS TO RECORDS**

In general, the records maintained by the University are available only to the student, to University personnel with legitimate educational interests and to other institutions with the consent of the student. The University adheres to the General Education Provisions Act or the Family Educational Rights and Privacy Act Compliance Guidelines for The University of Louisiana at Monroe, September, 1976. However, information may be released by the institution 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. Records may also be furnished in compliance with a judicial order or pursuant to a subpoena or with the consent of the student. The education records of a deceased student are not released; exceptions to this policy should be submitted in writing to the University Registrar.

A student or the parent(s) of a confirmed, tax-dependent student may inspect and review all records pertaining to him/her within forty-five (45) days of making a written request for same, except for:

- 9.03:01** records created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting or assisting in a professional capacity in connection with treatment of the student (except that the student may have these records reviewed by a physician or appropriate professional designated by the student)
- 9.03:02** financial records of the student's parents or any information contained in these records
- 9.03:03** confidential letters and recommendations put in the files prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended and
- 9.02:04** confidential recommendations relating to admission, applications for employment, or honors, if the student has waived his or her right to review such records. Where a particular record cannot be reviewed by a student without revealing confidential information relating to other students, the records custodian will inform the student, upon written request, of the contents of the record pertaining to that student.

### **9.04 CORRECTION OF EDUCATION RECORDS**

Students have the right to request that records be corrected if they believe that such records are inaccurate, misleading, or in violation of their privacy rights. Listed below are the procedures for the correction of records:

- 9.04:01** A student must ask the appropriate official of The University of Louisiana at Monroe to amend a record. In so doing, the student should identify the part of the record to be amended and specify why the student believes it is inaccurate, misleading or in violation of his or her privacy rights.
- 9.04:02** The University may comply with the request or may decide not to comply. If the University decides not to comply, the student will be notified of the decision and advised of his or her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.

- 9.04:03** Upon request, the University will arrange for a hearing, and notify the student, reasonably in advance, of the date, place, and time of the hearing.
- 9.04:04** The hearing will be conducted by a disinterested party; however, the person(s) may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney who has no voice in the hearing; an attorney may only quietly advise the student in a hearing.
- 9.04:05** The University will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- 9.04:06** If the University decides that the information is inaccurate, misleading, or in violation of the student's rights of privacy, the University will amend the record and notify the student, in writing, that the record has been amended.
- 9.04:07** If the University decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the University will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
- 9.04:08** The statement will be maintained as a part of the student's education records as long as the contested portion is maintained. If the University discloses the contested portion of the record, the University must also disclose the statement.

## **9.05 COST**

The University of Louisiana at Monroe may charge a reasonable fee for copying education records provided the fee assessed does not effectively prevent the parents and/or students requesting the copies from exercising their right to inspect and review the requested records.

## **9.06 DIRECTORY INFORMATION**

The following items of information from student records may be released by the University without the consent of the student unless the student has notified the University Registrar, in writing, that the student objects to such release:

- 9.06:01** name
- 9.06:02** address
- 9.06:03** telephone number
- 9.06:04** awards and scholarships received
- 9.06:05** date and place of birth
- 9.06:06** dates of attendance
- 9.06:07** degrees and dates received
- 9.06:08** current schedule of classes (to ULM, local, state, and federal law enforcement agencies only)
- 9.06:09** classification
- 9.06:10** current class rosters
- 9.06:11** college and curriculum
- 9.06:12** E-mail address
- 9.06:13** full- and part-time status
- 9.06:14** grade-point average (Released only to ULM-sponsored organizations for use in determining initial or continuing eligibility for membership in the local, regional and/or national organization, or for use in compiling academic statistics required by the parent organization.)
- 9.06:15** high school attended and date of graduation
- 9.06:16** President's and other honors' lists
- 9.06:17** most recent previously attended educational agency or institution
- 9.06:18** participation in recognized activities and sports
- 9.06:19** photographs (if available--to ULM, local, state, and federal law enforcement agencies only)
- 9.06:21** spouse and parents

9.06:22 weight and height of members of athletic teams

## 9.07 DISCIPLINARY RECORDS

### 9.07:01 Maintenance

The University shall maintain a written disciplinary record for every student who has been charged with any disciplinary violation, and such record shall reflect the nature of the charge, the censure imposed and/or any other pertinent information. All disciplinary records shall be maintained by the University for a period of five to seven years; after that time, disciplinary records may be destroyed. However, a record of suspension, dismissal or expulsion from the University for disciplinary reasons may remain on file indefinitely in the Office of Student Services and Judicial Affairs. Disciplinary records shall be separate from the student's academic records and shall be treated as confidential. All information stored on the ULM Judicial Affairs Management System becomes a permanent student record until it is purged from the system.

### 9.07:02 Release of Records

The contents of a student's disciplinary record may not be revealed except upon court subpoena, the written request of the accused or charged student, the request of the appropriate University hearing panel or a University Official, or as designated in accordance with ULM's published Family Educational Rights and Privacy Act Compliance Guidelines or the General Education Provisions Act.

### 9.07:03 Academic Transcripts

In disciplinary cases where the appropriate University Unit imposes or recommends a censure of suspension, dismissal or expulsion from the University, the Office of Registrar may note these censures on the student's official academic transcript. At the end of the period of a suspension or upon readmission to the University following suspension, dismissal, or expulsion, the student may petition in writing the Office of Student Services and Judicial Affairs to have this notation removed from the academic transcript. Upon the request of the Office of Student Services and Judicial Affairs, the Registrar may remove the notation from the academic transcript; however, the record of suspension and dismissal, along with the record of expulsion, shall remain on the student's records in the Office of Student Services and Judicial Affairs. A notation of expulsion may be permanently affixed to the student's academic transcript.

### 9.07:04 Expunging of Records

Students who have been found responsible of one or two less serious violations of University rules and regulations and who have exhibited a pattern of appropriate behavior beyond the violations may petition the Office of Student Services and Judicial Affairs to expunge these disciplinary records prior to graduation from the University. The student must present a written letter to the Office of Student Services and Judicial Affairs requesting consideration for expunging the record at least one to four weeks prior to graduation. A determination will be made by the Office of Student Services and Judicial Affairs and/or the appropriate university official, and the student will be notified by appointment or telephone.