



THE UNIVERSITY of
NEW ORLEANS

Policy No: AP-AA-11.2
TITLE: Privacy and Access to Student Records
EFFECTIVE DATE: June 6, 2012
CANCELLATION:
REVIEW DATE: Fall 2017

ADMINISTERED BY: Office of Vice President for Academic Affairs

PURPOSE

To set forth University policy and procedures pertaining to the rights of eligible University of New Orleans students, and parents of dependent students, with regard to student education records.

AUTHORITY

Family Educational Rights and Privacy Act (FERPA); University of Louisiana System Policy and Procedure Memorandum S-II.-4 (Accessibility to Students' Educational Records).

DEFINITIONS

- 1. Directory Information** – student name, address, e-mail address, telephone number, date and place of birth, photograph, major, previous school attended, weight and height for members of athletic teams, dates of attendance, enrollment status, degrees received, honors and awards, participation in officially recognized activities and sports and class schedule.
- 2. Education Records** – all records, in any tangible format, including print, electronic, visual, imaged or other media, maintained by the University and directly related to currently or formerly enrolled students.
- 3. Legitimate Educational Interest** – a School Official performing a task that is specified in his or her position description or by contractual agreement; a School Official performing a task related to a student's education; or a School Official performing a task related to the discipline of a student.
- 4. School Official** is a person employed by the University in an administrative, supervisory, academic, research, or support position, or a person employed by, or under contract to, the University to perform special task, such as an attorney or auditor.
- 5. Eligible Student** – a person currently or formerly enrolled in the University of New Orleans.

GENERAL POLICY

It is the policy of the University of New Orleans to protect the privacy of student education records and to ensure that eligible students are afforded access to student education records as provided

under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 C.F.R. Part 99), and applicable University of Louisiana System policy. The parents of dependent children, as provided in Section 152 of the Internal Revenue Code, are afforded the same rights as eligible students under this policy.

STUDENT RIGHTS UNDER FERPA

- 1. Right to Review and Inspect.** FERPA gives eligible students certain rights with respect to student education records. Students have the right to inspect and review their education records. The University is not required to provide copies of records, unless is unable to review the records on campus. The University may charge a fee for copies.
- 2. Restricted Records.** Students are not entitled to review:
 - a. Financial information submitted by parents.
 - b. Confidential letters and statements of recommendation to which the student has waived his or her right of access and that are related to the student's admission, application for employment or job placement, or receipt of honors.
 - c. Education records containing information about more than one student, however, in such cases the institution must permit access to that part of the record which pertains only to the inquiring student.
- 3. Disclosure of Student Information.** In most case, the University will not release information from an education record without the student's written permission. However, in accordance with FERPA, the University may disclose student records without consent to the following:
 - a. School Officials with legitimate educational interest.
 - b. Other schools to which a student is transferring.
 - c. Specified officials for audit or evaluation purposes.
 - d. Appropriate parties in connection with financial aid to a student.
 - e. Organizations conducting certain studies for or on behalf of the school.
 - f. Accrediting organizations.
 - g. To comply with a judicial order or lawfully issued subpoena.
 - g. Appropriate officials in cases of health and safety emergencies.
 - i. State and local authorities, within a juvenile justice system, pursuant to specific State law.
- 4. Directory Information.** The University does not usually disclose Directory Information without consent. However, at its discretion, the University may provide Directory Information in

accordance with the provisions of the Family Education Rights and Privacy Act of 1974, as amended, to include: name, address, e-mail address, telephone listing, photograph, date and place of birth, dates of enrollment, college in which enrolled, classification, major degree(s) earned, awards, participation in officially recognized activities and sports, weight and height of member of athletic teams, and the most recent previous educational agency or institution attended.

- 5. Correction of Student Record.** An eligible student who believes that an education record contain information that is inaccurate or misleading, or is otherwise in violation of their privacy rights, may request that the University official with primary responsibility amend the record(s). The procedure for seeking correction of a student education record is set forth in Section D(2), below.
- 6. Posting of Test Scores and/or Course Grades.** The public posting of test scores and course grades is strictly prohibited. Student work, including, but not limited to examination papers, homework, essays or other written submissions should never be left unattended.

PARENTAL RIGHTS

Absent presentation of a valid court order establishing otherwise, either parent of a dependent child, as defined in Section 152 of the Internal Revenue Code, may exercise the rights provided under this policy. In addition to the procedures set forth herein, the parents of a dependent child must provide documentation to verify the dependent status of the child whose records are sought.

RELATED PROCEDURES

Request to Review Student Records. Eligible students may inspect and review their education records by submitting a written request to the Office of the Registrar. The request should identify as precisely as possible the record(s) that the student wishes to inspect. The Registrar's Office will make arrangements for access and notify the requester of the time and place where the records may be inspected. Copies may be provided at the student's expense.

Requesting Correction of Student Records. An eligible student who believes that his or her education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy rights, may request that the record be amended. In making the request, the student should identify the part of the record he/she wants changed and specify why he/she believes it is inaccurate, misleading, or in violation of his or her privacy or other rights.

If the official concurs with the request, the record will be amended. If the official does not concur, the University will notify the student of his or her right to a hearing to challenge the information believed to be inaccurate or misleading.

Requests for a hearing must be made in writing to the Office of Academic Affairs. Within forty-five days of the request, the student will be notified of the time and place of the hearing, which will be conducted by a disinterested University official appointed by the Office of Academic Affairs. The hearing, and any subsequent actions regarding the education records at issue will be conducted in accordance with FERPA guidelines.

Retention of Requests. The University will maintain a record of all requests for and/or disclosure of personally identifiable information from a student's education records. The records of request, whether granted or not, shall include the names and addresses of the person(s) who requested the information and their legitimate interests in the information. Records of requests and disclosures do not have to be maintained for:

- a. Requests made by students for their own use.
- b. Disclosures made with the written consent of the students.
- c. Disclosures made to school officials under the conditions that allowed such disclosures.
- d. Disclosures made to a party seeking directory information.

Peter J. Fos, Ph.D., M.P.H.
President
University of New Orleans