



## Policy on the Confidentiality of Student Records

*Pursuant to the Family Educational Rights and Privacy Act*

### **POLICY STATEMENT**

The University recognizes that the maintenance of student information and educational records is necessary and vital to assist the student's education and development and to provide opportunities for University research and policy formulation. The University recognizes its obligation to exercise discretion in recording and disseminating information about students to ensure that their rights of privacy are maintained. This University Policy is adopted pursuant to the [Family Educational Rights and Privacy Act \(FERPA\), \(34 CFR Part 99\)](#) and is not intended to impose any restrictions or grant any rights not specifically required by this Act.

The University will furnish annual notification to students of their right to inspect and review their educational records; the right to request amendment of educational records considered by them to be inaccurate or misleading or that violate privacy or other rights; and of their right to a hearing must the University decline to amend such records. The campus-wide electronic and hard-copy circulation of this policy will be achieved via the online and paper versions of [The Auburn Plainsman](#) student newspaper. This will be coordinated by the [Division of Students Affairs](#) and will serve as annual notice of the privacy rights of Auburn University students mandated by FERPA.

The following requirements have been developed to ensure the privacy rights of students. For the purposes of this University Policy, a student is defined as an individual who has been admitted and has been in attendance in a component unit of the University. Classification as a student in one component unit of the University (e.g., an undergraduate program) does not imply that the person has been accorded the rights outlined below in other component units (i.e., graduate school, professional schools, branch campus).

### **Student Access to Records**

Auburn University's permanent student education record consists of one or more of the following:

1. Official transcript of grades;
2. Competency evaluations, and
3. Narrative evaluations.

This is in accordance with requirements established by the [American Association of Collegiate Registrars and Admissions Officers](#) and the [State of Alabama policies on Retention of Records](#).

Students have the right to be provided a list of the type of educational records maintained by the University which are directly related to the student; the right to inspect and review the contents of these records; the right to obtain copies of these records; the right to a response from the University to reasonable requests for explanation and interpretation of these records; the right to an opportunity for a hearing to challenge the content of these records; and if any material or document in the educational record of a student includes information on more than one student, the right to inspect and review only the part of such material or document as relates to the student.

Students do not have access to financial records of their parents; confidential letters and statements of recommendation which were placed in the educational record prior to Jan. 1, 1975, provided such letters or statements were solicited or designated as confidential and are not used for purposes other than those for which they were specifically intended; confidential recommendations, if the student signed a waiver of the right of access, respecting admission, application for employment, and the receipt of an honor or honorary recognition.

Students do not have access to the following types of records:

1. Instructional, supervisory or administrative personnel records which are not accessible or revealed to any other individual except a substitute;
2. Campus Security records which are maintained apart from educational records, which are used solely for law enforcement purposes, and which are not disclosed to individuals other than law enforcement officials of the same jurisdiction;
3. Employment records, except when such employment requires that the person be a student, and
4. Alumni Office records.

Students do not have access to physical or mental health records created by a physician, psychiatrist, psychologist or other recognized professional acting in his or her capacity or to records created in connection with the treatment of the student under these conditions that are not disclosed to anyone other than the professionals providing treatment. A physician or appropriate professional of the student's choice may review these records.

### **Procedures for Access**

Students must contact the [Office of the Registrar](#) to inspect and review their records. A University official may be present when the student inspects and reviews his or her educational records.

### **Amending Educational Records**

Students may request that any information contained in their educational records which they consider to be inaccurate, misleading, or in violation of their privacy or other rights be amended or deleted from the records. (A grade or other academic scores may not be amended, except that the accuracy of recording the information may be challenged).

Students who request that information in their records be amended must first direct their request to the official with primary responsibility for the information on the record. If the matter is not resolved to their satisfaction, students must direct their requests to the official's dean or division head. If the matter is not resolved to their satisfaction, they may request a formal hearing.

### **Right to a Formal Hearing and Procedures for Decision**

Students may request formal hearings to challenge information contained in their educational records. The hearing will be held in a reasonable time (not to exceed 45 days) and in a reasonable place. Students may be assisted or represented by persons of their choice, including an attorney, at the expense of the student, and shall be afforded a full and fair opportunity to present evidence relevant to the issue(s).

Students or their representative must request the hearing in writing and must specifically identify the information they seek to have amended. The request must be directed to the [Office of the Provost/Vice President for Academic Affairs](#).

The Office of the Provost/Vice President for Academic Affairs will conduct the hearing and render a decision within a reasonable period of time after the conclusion of the hearing and the decision shall be based solely upon the evidence presented at the hearing. The student shall be notified in writing of the reason(s) for the decision and given a summary of the evidence.

If the decision is that the information in the student's educational records is inaccurate, misleading or in violation of his/her rights and privacy, the statement(s) will be corrected or expunged from the students records.

If the decision is that the information is not inaccurate, misleading, or in violation of the privacy or other rights of the student and that the information or parts thereof are to remain in the student's educational records, the student shall be notified and given the right to enter a statement in the records setting forth any reason for disagreeing with the decision of the Office of the Provost/Vice President for Academic Affairs. This statement shall be maintained in the records as long as the record or contested portion thereof is maintained, and if the contested educational record or contested portion thereof is disclosed by Auburn University to any party, the student's explanation shall also be disclosed to that party.

The Secretary of Education has established a review board to receive complaints regarding violation of student's rights. Students wishing to file a complaint directly to the review board must write to the [Family Policy and Regulations Office](#), Department of Education, 400 Maryland Avenue, SW Washington, D.C. 20202. Detailed procedures for filing a complaint are listed under [Section 99.63 of FERPA](#) and will be furnished upon request by the Office of Registrar, Auburn University.

### **Release of Directory Information**

The University may release directory information without the student's written consent. Directory information consists of student's complete name and addresses; telephone numbers; Auburn University E-mail address; most recent classification and curriculum; term/dates of attendance; enrollment status (full or part time); degrees and awards received; photographs, video or other electronic images; and participation in recognized activities and sports. All other release requires the student's explicit consent.

Student contact information may be released only for non-commercial use by individuals or organizations outside of the University provided the requests for such information are determined, after appropriate

review by the Senior Vice President of Student Affairs (or their designee), to be consistent with AU's educational mission and in the interests of the institution and/or students. FERPA allows Auburn to make students' contact information available within the institution but not release them as directory information. Photographs, video or other electronic images of students and participation in recognized activities and sports shall be released only in connection with official University publications.

A student may deny the release of directory information by completing a Privacy Setting Change Form available in the Office of the Registrar, Langdon Hall, 152 S. College Street. Students may also restrict directory information on [AUAcess](#).

In compliance with federal law, Auburn University is required to supply student names, contact information, date/place of birth, level of education, academic major, and degrees received to military recruiters if properly requested.

### **Release of Educational Records**

The University will release a student's educational record(s) upon the student's written request. The student must:

1. Specify the records to be disclosed;
2. Include the purpose or purposes of the disclosure;
3. State the party or parties and the address to whom the information is to be disclosed.

The student shall, upon request, receive a copy of the record that is to be disclosed. It is University Policy to furnish single copies of a student's record at no charge.

The University may release student's educational records to the following without prior written consent:

1. University officials who have a legitimate educational interest in the records. University officials are defined as teachers, administrative personnel and other employees or agents acting on behalf of the University. If University officials are required in the performance of their duties to review the educational records of a student, this will be considered to be a legitimate educational interest. Auburn University has designated the [National Student Clearinghouse](#) as a University official.
2. Officials of another school in which the student intends to enroll upon request of the transfer school.
3. Government representatives of the Comptroller General of the United States, the Secretary of Education, the U.S. Commissioner of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, State educational authorities, and State officials to whom such information is specifically required to be reported or disclosed by State law adopted prior to Nov. 19, 1974.
4. Appropriate authorities in connection with financial aid with the understanding that only the necessary records will be released.

5. Organizations conducting studies for, or on behalf of, the University or its agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction and student life provided that the studies will not permit the personal identification of students and their parents by individuals other than representatives of the organization and provided that the personally identifiable information furnished will be destroyed when no longer needed for the purposes for which the study was conducted.
6. Accrediting organizations to carry out their accrediting functions.
7. Parents of a dependent student as defined in [Section 152 of the Internal Revenue Code of 1954](#). University officials may release educational records to parents on the basis of a written documentation from the parent that the student is a dependent as defined under the Code and there is reasonable notification of the student regarding the request.
8. A court of law to comply with a judicial order or lawfully issued subpoena with the understanding that the student will be notified in advance insofar as possible.
9. Appropriate parties to protect the health and safety of the student or other individuals in emergencies with the understanding that only information essential to the emergency situation will be released, that information will be released only to a party who would be in a position to deal with the emergency, and that the student will be notified insofar as possible of the information released, the purpose for the release, and to whom the information was released.
10. No personal information on a student will be released without a statement from the University to the party receiving the information that no third party is to have access to such information without the written consent of the student.
11. Each office with educational records will maintain a record of each request and disclosure of personally identifiable information from the educational records of a student except for information requested in writing by the student, information released to the student or the student's parents, directory information, and information released to University officials and teachers who have a legitimate educational interest in the records. The student may inspect the record of requests, disclosures and the legitimate interests of parties requesting or obtaining information in the appropriate University office.

REVISED: November 1, 2018