



Policy on Acceptable Use of Student Records and Data

Effective Date: April, 2019

Office: Office of Registrar, Office of General Counsel, Office of Risk Management

PURPOSE: This section should include reason or rationale for the policy.

This policy provides guidance to employees on use of student records and data, and managing requests for access to student records and data.

REFERENCE DOCUMENTS/RELATED INFORMATION:

List any other policies or information that should be cross-referenced.

[Confidentiality of Student Education Records and FERPA Policy](#)

[Acceptance of Legal Documents and Release of Information Policy](#)

Online FERPA training is available upon request. Please contact Human Resources for assistance.

SCOPE: Who is affected by this policy or needs to read it?

All University employees and students.

POLICY HISTORY: Include any information about previous versions or whether this replaces an existing policy.

POLICY STATEMENT: *State the policy here. The policy statement should include the principles of the policy: what is permitted or prohibited, what is required, or how issues will be handled. If viewers read only this section, they will know that the policy is and how it extends to the university. How-to procedures can be elaborated on in the Procedures section.*

The University's Confidentiality of Student Education Records and FERPA Policy authorizes the University to release certain "directory information." Directory information is defined as information that may be made available by the University to the public regarding students of the University without their prior consent, and directory information is considered part of the public record of their attendance. The University considers the following data elements to be directory information subject to release:

1. Name
2. Address (local, permanent, and electronic mail)
3. Telephone number
4. Class level (semester classification or level: freshman, sophomore, junior, senior, etc.)
5. Major
6. Student activities including athletics
7. Weight/height (athletic teams only)
8. Dates of enrollment
9. Enrollment status (full-time, part-time, or not enrolled)
10. Date of graduation
11. Degrees and awards received and where received
12. Names of previous educational institution(s) attended
13. Photograph
14. Name of hometown
15. Name of high school attended

Any student is entitled to request that this directory information not be made publicly available. Such a request to "opt-out" must be made in writing to the University Registrar ([See FERPA opt-out form](#)). This written prohibition on release will remain in effect until it is rescinded by the student in written instructions filed with the University Registrar. Unless a student opts out of the release of directory information, such information is subject to release by University in its sole discretion at any time to any third party. The University shall not be obligated to release directory information where a student has not opted out, but the University retains the discretion to do so.

To verify whether a student has filed a written opt-out request, please contact the Registrar's Office.

As a matter of policy, the University generally does not provide lists of student directory information to entities outside of the University and reserves the right in its sole discretion to review such requests on a case-by-case basis. This means that the University may deny a request in its entirety, may exercise its discretion to provide only certain portions of the data elements contained in its list of directory information, or to provide all directory information.

Where an outside entity wants to mail or email information to students that the University feels is beneficial to those students, the University may decline to release directory information and/or a mailing list and may instead accept hard or soft copy versions of the information for distribution to students by the University itself. In this way, students receive the information but the mailing list is not shared with the outside entity.

If there are instances where it is not possible for the University to manage this process of mailing information and it is deemed that the entity has important information for students, and if the release of the mailing list will not violate University policy, then permission to share the mailing list must be granted by the Office of General Counsel in consultation with the University Registrar. If the mailing list is shared with the entity, it must be made clear through a cover memo that the list may be used only to fulfill the specific purpose for which it was originally requested and must not be shared further outside the entity with any other parties.

Employees may share directory information for individual students for purposes such as job references and enrollment/degree verification. However, non-directory information may never be shared with any outside entity or individual (including parents) without written consent of the student consistent with the University's Confidentiality of Student Education Records and University FERPA Policy or unless otherwise authorized. Please refer to the Confidentiality of Student Education Records and University FERPA Policy for further guidance.

In cases where a third party is performing an institutional service or function for the University (i.e. the service is one that the University would normally provide itself but has out-sourced due to cost/resource issues) and requires student information, a contractual arrangement must exist between the University and the third party that requires the third party to:

- Protect the information at the same level as required of the University by law, existing contract, or institutional policy.
- Use the information for only the purposes for which the University grants access to the information.
- Not share the information with any other entity.
- Destroy or return the information within a specified timeframe at the conclusion of any contractual arrangement with the university and retain no copies of the information.
- Provide adequate administrative, electronic, and physical safeguards to assure the confidentiality, integrity, and accessibility of the information at a level specified in the contract between the university and the third party.

In cases where an external research organization is conducting research using personally identifiable student information without the written consent of the student, a written agreement must be in place between the University and the research organization. The written agreement must reflect the five bullet points outlined above, and must set forth the purpose, scope and

duration of the study. In addition, the University must agree with the purpose of the study. In cases where only de-identified data is shared, a written agreement is not required.

Lists of student information may be shared within the University for purposes that are beneficial to the student and/or to the University with the understanding that the units receiving those lists provide appropriate privacy and security of those lists according to institutional policy or law.

University employees are permitted to access only those student education records in which they have a “legitimate educational interest” in order to fulfill their professional responsibilities in connection with the university’s educational mission. Student education records should be used only in the context of official business in conjunction with the educational success of the student. Legitimate educational interests are defined by the University as interests that are essential to the general process of higher education. Legitimate educational interests include but are not limited to:

- Teaching
- Research
- Public service
- Directly supportive activities as academic advising, general counseling, therapeutic counseling, discipline, vocational counseling and job placement, financial assistance and advisement, medical services, safety, raising endowment in support of student scholarships and academic programs, and academic assistance activities.

In addition, the University officially recognizes appropriate co-curricular activities that are generally supportive of overall goals of the institution and contribute generally to the well-being of the entire student body and specifically to many individuals who participate in these activities as legitimate educational interests. These activities include varsity and intramural sports, specific interest clubs and organizations, and student government.

A University official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities to the University.