
STUDENT RECORDS POLICY

The Family Educational Rights and Privacy Act (Buckley Amendment, 20 U.S.C. 1230, 1232g). Effective Date, April 8, 1976

Troy University compiles and maintains information about students which facilitates educational development of the student and effective administration of the university. To better guarantee the rights and privacy and access as provided by the Family Educational Rights and Privacy Act of 1974, (Buckley Amendment, 20 U.S.C. 1230, 1232g) Troy University has adopted the following policies and procedures:

1. GENERAL POLICY.

Troy University shall not permit access to or the release of education records of personally identifiable information contained therein, other than directory information as defined in paragraph 4 herein, without the written consent of the student, to any party other than the following:

A. Other school officials and teachers of this university who have been determined by the university to have legitimate educational interests. A school official is:

- A person employed by the university in an administrative, supervisory, academic or research, or support staff position.
- A person elected to the Board of Trustees.
- A person employed by or under contract to the university to perform a special task, such as the attorney or auditor.

A school official has a legitimate educational interest if the official is:

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

B. Officials of other schools or school systems in which the student seeks or intends to enroll, upon condition that the student may receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

C. Certain authorized representatives of federal departments or agencies or state educational authorities for purposes of audits, evaluative studies, etc. Data collected will be protected in a way which prevents personal identification except when specifically authorized by federal law. The data will be destroyed when no longer needed for such purposes;

D. In connection with a student's application for, or receipt of, financial aid;

- State and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to state statute adopted prior to Nov. 19, 1974;

E. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted;

F. Accrediting organizations in order to carry out their accrediting functions;

G. Parents of a student who is a dependent for income tax purposes;

H. Pursuant to a lawful subpoena or court order;

I. Other appropriate persons in an emergency to protect the health or safety of the student or others. Students shall have access to all such information in accordance with the procedure out-

lined in this statement with the exceptions specified in paragraph "2" herein.

2. DEFINITION OF EDUCATIONAL RECORDS.

Student educational records are defined as those records, files, documents, and other materials which contain information directly related to a student and are maintained by the university or by a person acting for the university. Specifically excluded from the definition of "educational records" and not open to student inspection are the following materials:

A. Records of instructional, supervisory and administrative personnel which are in the sole possession of the maker and accessible only to the maker or a designated assistant to the maker;

B. Records of campus security, except in those instances where they have been transmitted within the university for administrative purposes;

C. Records which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para professional acting in a professional or para professional capacity, or assisting in that capacity, and which are created, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment or who could not be involved officially within the university, but such records are available to a physician or appropriate professional of the student's choice, if requested by the student.

3. DEFINITION OF STUDENT.

For the purpose of this policy, "student" means any person who has been enrolled in and is attending or has attended any course offering of Troy University. It does not include prospective students.

4. DIRECTORY INFORMATION.

The following categories of information with respect to each student have been designated by the university as directory information which may be made available to the public, absent a student's request that any such information should not be released without the student's prior consent:

- A. Student's name and email address
- B. Dates of attendance
- C. Major and minor fields of study, degree desired, classification (freshman, sophomore, junior, senior) and full-time or part-time status
- D. Participation in officially recognized activities
- E. Degrees and awards received (i.e. Dean's List, Who's Who, etc.).

5. LOCATION OF RECORDS.

The university has designated the following officials or their equivalents at the branches as responsible for student records within their respective areas of responsibility:

- A. Senior Vice Chancellor, Academic Affairs
- B. Senior Vice Chancellor, Student Services and Administration
- C. Senior Vice Chancellor, Finance and Business Affairs
- D. University Registrar
- E. Deans of various schools within the university

These officials shall hereinafter be referred to as "records officials." Each official is responsible for maintaining a listing of student records within such records official's area of responsibility, which listing shall indicate the location and general content of the records. Any student request concerning his or her records or files, including requests that information not be disclosed to the

public, requests for disclosure to third parties, and requests for access by the student shall be directed to the appropriate records official. Forms for all such requests may be obtained from these officials. The appropriate records official will also attempt to resolve any challenges to the records at an informal hearing with the student and, if an agreeable solution is not reached, the records official will refer the student and his or her challenge to the University Hearing Officer, who shall set a hearing within 10 days thereafter for final decision.

6. ACCESS OF STUDENT RECORDS TO STUDENT.

The student is accorded the right to inspect and review, in the presence of a university staff member, any records, files and data directly related to the student. To inspect his or her personal folder or file, a student shall submit a written request to the appropriate records official, which request shall be signed by the student and, if not personally submitted by the student, then the student's signature shall be acknowledged by the affidavit of a Notary Public. The request for inspection shall be acted upon within 45 days from the date such request is received. If, in the opinion of the appropriate records official, inspection can reasonably be accomplished by providing copies of documents, such copies shall be made and provided to the student.

7. LIMITATIONS ON ACCESS.

The right of inspection of personal information described in paragraph "6" above does not include:

A. Financial records of the parents of the student or any information contained therein;

B. Confidential letters and statements of recommendation, which were placed in the education records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended;

C. Other confidential records, access to which has been waived by the student in accordance with policy concerning waivers.

8. CHALLENGING THE CONTENTS OF THE RECORD.

If, after inspecting the record, a student wishes an explanation or to challenge any part of the contents of such record, then the student shall submit a written request for a hearing in the same manner and under the same procedures as provided by paragraph "5."

The request for hearing should identify the item or items in the file to be challenged and state the grounds for the challenge, e.g., inaccuracy, misleading nature, inappropriateness, etc. The records official shall examine the contested item, shall hear the person responsible for placing the item in the file if appropriate and possible, and shall examine any documents or hear any testimony the student wishes to present. The records official may decide that the contested item should be retained, that it should be deleted or revised or referred to the Hearing Officer who shall set a hearing within 10 days thereafter for final decision. In the event any part of the challenged item is retained, the student shall be allowed to place a written examination thereof in the file. A written decision shall be delivered or mailed to the student within 10 days from the date such hearing is concluded, either by the records official or the Hearing Officer.

9. WAIVER OF ACCESS.

A student or a person applying for admission may waive their right of access to confidential statements concerning application for admission, financial aid, employment, honorary recognition, or any other benefit made available by Troy University.

The student may sign and return the waiver or may request a list of the names of persons who will be asked for recommendations as to such application prior to signing and returning such waiver or the student may decline to waive the right of access. No such application shall be conditioned upon or prejudiced by the student's failure or refusal to sign such waiver.

10. PROVIDING RECORDS TO THIRD PARTIES -- CONTENT OF CONSENT.

The policy of Troy University is to refuse access to student records to third parties without the written consent of the student except as provided in paragraphs 1 and 4. Any records pertaining to a student, which are not excluded by the provisions of paragraph 2, shall be released upon receipt of that student's written request, directed to the proper records official, specifying the records to be released, the reason for such release, the person to whom the records are to be released, and whether a copy thereof is also to be furnished the student.

11. PARENTAL NOTIFICATION LETTER

In accordance with (FERPA) Family Educational Rights and Privacy Act, the university must have parental and student consent to allow the university to release student information to the parents and/or legal guardians. This information includes grades, billing information, schedules and judicial files.

12. TRANSFER OF INFORMATION BY THIRD PARTIES.

Any information released under paragraph "10" shall be expressly conditioned upon the understanding that the party to which the information is being transferred will not permit any other party to have access to such information without the consent of the student. Such conditional understanding shall be in writing, and included in or attached to each release of information.

13. RECORD ACCESS.

Troy University shall maintain a record, kept with the education records of each student which will indicate all parties (other than those specified in paragraph "1a") which have requested or obtained access to a student's education records. This record will indicate specifically the legitimate interest that each such party has in obtaining this information. Such record of access shall be available only to the student, to the school official, and his or her assistants who are responsible for the custody of such records, and to persons or organizations authorized in, and under the conditions of paragraph 1a and 1c, as a means of auditing the operation of the system.

14. DESTRUCTION OF RECORDS.

Troy University retains the right, if not otherwise precluded by law, to destroy records as a matter of policy. However, upon written request, a student shall be granted access to and copies of his or her records, which are not excluded by the provisions of paragraph "2," prior to the destruction of such records. Without such a request on file prior to destruction, no copy of records to be destroyed need be furnished the student.

15. COST OF COPIES.

Any copies of records furnished at the request of a student shall be subject to the payment of a reasonable fee, to be established by the university from time to time, for such service.