



Family Educational Rights and Privacy Act (FERPA) Policy

In accordance with the Family Educational Rights and Privacy Act (commonly referred to as FERPA, or the “Buckley Amendment”) The University of Mount Union has adopted the following policies and procedures to protect the privacy of educational records. Students will be notified of their FERPA rights annually by publication in the University of Mount Union Catalogue, the University of Mount Union Student Handbook, and on the University’s website.

Definitions

Mount Union uses the following definitions in this policy:

- Student: any person who attends or has attended the University.
- Education Records: any records in whatever form (handwritten, taped, film, or other medium) which are maintained by the University and are directly related to a student, with the following exceptions:
 1. Personal records kept by a University staff member if the record is not revealed to others and is kept in the sole possession of the staff member;
 2. Student employment records that relate exclusively to the student in the capacity of an employee;
 3. Records maintained separately from educational records solely for law enforcement agencies of the same jurisdiction;
 4. Counseling records maintained by the University chaplain or the University counselor;
 5. Medical records maintained by the University solely for treatment and made available only to those persons providing treatment; and
 6. Office of Alumni Activities records.

Rights Under FERPA

A student shall have the right and parents of a dependent student may have the right to do the following:

1. Inspect and review the student’s education records;
2. Request that the student’s educational records be amended to ensure the records are not inaccurate, misleading, or otherwise in violation of a student’s privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent;
4. File a complaint with the U.S. Department of Education concerning the failure of the University to comply with the requirements of FERPA; and

5. Obtain a copy of the University's student records policy from the Office of the University Registrar.

Procedure to Inspect Educational Records

Students may inspect and review their education records upon request to the appropriate record custodian(s). Students must submit a written request that identifies as precisely as possible the record(s) the student wishes to inspect.

Access will be provided within 45 days of the written request. Information contained in the educational records will be fully explained and interpreted to students by University personnel assigned to, and designated by, the appropriate office. Student records are maintained in the following offices:

1. Admissions and academic records in the Office of the University Registrar;
2. Financial aid records in the Office of Student Financial Services;
3. Financial records in the Office of Business Affairs;
4. Progress and advising records in the departmental offices and faculty offices;
5. Learning disability records in the Office of Student Affairs;
6. Counseling records in the Office of the Chaplain, the Office of Counseling Services and the Office of Alcohol, Drug, and Wellness Education;
7. Academic dishonesty records in the Office of Academic Affairs; and
8. Disciplinary and student conduct records in the Office of Student Affairs.

Right of the University to Refuse Access

The University reserves the right to refuse to permit a student to inspect the following information:

1. The financial statements of the student's parents;
2. Letters of recommendation for which the student has waived his or her right of access;
3. Records of applicants who were neither admitted to nor attended University of Mount Union;
4. Records containing information about more than one student, in which case the University will permit access only to that part of the record that pertains to the inquiring student; and
5. Records which are excluded from the FERPA definition of education records.

Right to Challenge Information in Records

Students have the right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or inappropriate. This includes the opportunity to amend the records or insert written explanations by the student into such records. The student may not initiate a FERPA challenge of a grade awarded unless it was inaccurately recorded. In such cases the correct grade will be recorded.

Procedures for Hearings to Challenge Records

Students wishing to challenge the content of their education records must submit, in writing to the appropriate office, a request for a hearing, which includes the specific information in question and the reasons for the challenge.

Hearings will be conducted by a University official who does not have a direct interest in the outcome of the hearing. Students will be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge. The hearing officer will render a decision, in writing, within a reasonable period of time, noting the reason and summarizing all evidence presented.

If the hearing results are in favor of the student, the record shall be amended. Should the request be denied, an appeal may be made, in writing, and submitted to the University Registrar within 10 days of the student's notification by the hearing officer. The appeal shall be heard by an Appeal Panel of three disinterested senior University officials. The Board will render a decision, in writing, within a reasonable period of time.

Should the appeal decision be in favor of the student, the record shall be amended accordingly. Should the appeal be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. As long as the student's record is maintained by the University, when disclosed to an authorized party the record will always include the student's statement and the Board's decision.

Disclosure of Education Records

The University will disclose "non-directory" information contained in a student's educational record only when written consent of the student, with the following exceptions:

1. To school officials, including teachers, who have a legitimate educational interest in the record;
2. To officials of another school in which the student seeks to or intends to enroll;
3. To federal, state, and local agencies and authorities as provided under law;
4. To the parents or legal guardian of an eligible student if the student is claimed as a dependent for income tax purposes;
5. Accrediting organizations;
6. To comply with a judicial order or lawfully issued subpoena;
7. Emergencies affecting the health or safety of the student or other persons; and
8. As otherwise permitted by FERPA.

FERPA Annual Notice to Reflect Possible Federal & State Data Collection and Use

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent

to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems

Directory Information

Disclosure of directory information normally may be made without the student's consent. Directory information includes the student's name; school and permanent addresses; school, permanent and cellular telephone numbers; school mailbox address; school e-mail address; date and place of birth; majors and minors; dates of attendance; enrollment status; class level; degree(s) received and dates of conferral; honors and awards earned; previous institutions attended; weight and height of athletes; participation in officially recognized activities and sports; and photograph.

A student who wishes to have all directory information withheld must submit an "Authorization to Withhold Directory Information" form to the Office of the University Registrar. The hold will become effective the first day of class in the next regular semester (fall or spring). Once filed this request becomes a permanent part of the student's record until the student instructs the Office of the University Registrar in writing to have the request removed. Moreover, this request does not restrict the release of this information to individuals and agencies list in "Disclosure of Educational Records" above.