

## Family Educational Rights and Privacy Act (FERPA) Policy Statement

Policy Information			
Policy#:	STU.5039	Reviewed Date(s):	5/96, 9/11/97; 3/22
Date Created:	May, 1996	Revised Date(s):	10/27/03; 10/18/05; 04/10/06; 7/31/2012; 3/18; 10/21; 3/18
Policy Owner:	Registrar	Council/Committee Recommendation:	Strategic Enrollment Management Committee
Responsible University Administrator:	VP Enrollment Management and Student Affairs	President Council Approved Date:	November 8, 2022

### 1. Purpose

- 1.1. To protect the privacy of student's education records.

### 2. Policy

#### 2.1. Annual Notification:

- 2.1.1. Students will be notified of their FERPA rights annually by publication in the student handbook.

#### 2.2. Disclosure of Education Records

- 2.2.1. Baptist University will disclose information from a student's education Records only with the written consent of the student, except:

- 2.2.1.1. To school officials who have a legitimate educational interest in the records.
- 2.2.1.2. To officials of another school, upon request, in which a student seeks or intends to enroll.
- 2.2.1.3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.
- 2.2.1.4. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- 2.2.1.5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
- 2.2.1.6. To organizations conducting certain studies for or on behalf of Baptist University.
- 2.2.1.7. To accrediting organizations to carry out their functions.
- 2.2.1.8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
- 2.2.1.9. To comply with a judicial order or a lawfully issued subpoena.
- 2.2.1.10. To appropriate parties in a health or safety emergency.
- 2.2.1.11. To an alleged victim of any crime of violence of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

#### 2.3. Record of Request For Disclosure

- 2.3.1. Baptist University will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the

party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.

2.4. Correction of Education Records:

2.4.1. Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights.

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

2.5.1. Performing a task that is specified in his or her position description or by a contract agreement.

2.5.2. Performing a task related to a student's education.

2.5.3. Performing a task related to discipline of a student.

### 3. Definitions

3.1. Directory Information:

3.1.1. Baptist University has designated the following items as Directory Information: student name, address, e-mail address(es), telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of member of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended, and photograph. A new request for non-disclosure must be submitted each year.

3.2. A school official is:

3.2.1. A person employed by Baptist University in an administrative, supervisory, academic or research or support staff position.

3.2.2. A person elected to the Board of Directors.

3.2.3. A person employed by or under contract to Baptist University to perform a special task, such as the attorney or auditor.

3.3. Student: Any person who attends or has attended Baptist University.

3.4. Education Records: Any record (in handwriting, prints, tapes, film, or other medium) maintained by Baptist University or an agent of Baptist University which is directly related to a student, except:

3.4.1. A personal record kept by a staff member if it is to be kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.

3.4.2. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.

3.4.3. Records are maintained by Baptist University's Security Unit if the record is maintained solely for law enforcement purposes and is revealed only to law enforcement agencies of the same jurisdiction. The Security Unit does not have access to education records maintained by Baptist University.

3.4.4. Records maintained by the Health Service if the records are used only for treatment of a student and made available only to those persons providing the treatment.

3.4.5. Alumni records which contain information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student.

### 4. Procedure

4.1. Procedure to Inspect Education Records:

4.1.1. Students may inspect and review their education records upon request to the appropriate record custodian.

- 4.1.2. Students should submit to the record custodian or an appropriate Baptist University staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect.
- 4.1.3. The record custodian or an appropriate Baptist University staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.
- 4.1.4. When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.
- 4.2. Right of Baptist University to Refuse Access:
- 4.2.1. Baptist University reserves the right to refuse to permit a student to inspect the following records:
- 4.2.1.1. The financial statement of the student's parents.
- 4.2.1.2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in file before January 1, 1975.
- 4.2.1.3. Records connected with an application to attend Baptist University or a component unit of Baptist University if that application was denied.
- 4.2.1.4. Those records which are excluded from the FERPA definition of education records.
- 4.3. Refusal to Provide Copies:
- 4.3.1. Baptist University reserves the right to deny transcripts of copies of records not required to be made available by FERPA in any of the following situations:
- 4.3.1.1. The student lives within the commuting distance of Baptist University.
- 4.3.1.2. The student has an unpaid financial obligation to Baptist University.
- 4.3.1.3. There is an unresolved disciplinary action against the student.
- 4.4. Fees for Copies of Records:
- 4.4.1. The fee copies will be \$2.00 per page.
- 4.5. Types, Locations, and Custodians of Education Records
- 4.5.1. The following is a list of the types of records the University maintains, their locations, and their custodians.
- | <b>Types</b>                  | <b>Location</b>   | <b>Custodians</b>                          |
|-------------------------------|---|--|
| 4.5.2. Admission Records      | Registrar's Office  | Admissions/Registrar                       |
| 4.5.3. Academic Records       | Registrar's Office  | Registrar<br>(Current and former students) |
| 4.5.4. Health Records         | University Health Services<br>790 Madison Avenue, Suite 218 | Director, University                       |
| 4.5.5. Financial Records      | Financial Aid/Business Office                               | Financial Aid/Bus. Off.                    |
| 4.5.6. Progress Records       | Academic Dean's Office                                      | Academic Dean                              |
| 4.5.7. Disciplinary Records   | Student Services Office                                     | Dean, Student Services                     |
| 4.5.8. Academic Accommodation | Disability Services   | Disability Services                        |
- 4.6. Following are the procedures for the correction of records:
- 4.6.1. A student must ask appropriate official of Baptist University to amend a record. In so doing, 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.

- 4.6.2. Baptist University may comply with the request or it may decide not to comply. If it decides not to comply, Baptist University will notify the student of the decision and advise him/her of his/her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- 4.6.3. Upon request, Baptist University will arrange for a hearing, and notify the student, reasonably in advance, of the date, place, and time of the hearing.
- 4.6.4. The hearing will be conducted by an individual who is a disinterested party; however, this individual may be a school official. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's records. The student may be assisted by one or more individuals, including an attorney.
- 4.6.5. Baptist University will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
- 4.6.6. If Baptist University decides that the challenged information is not accurate, misleading, or in violation of the student's right of privacy, it will notify the student that he/she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
- 4.6.7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If Baptist University disclosed the contested portion of the record, it must also disclose the statement.
- 4.6.8. If Baptist University decides that the information is inaccurate, misleading, or in violation of the student's right to privacy, it will amend the record and notify the student, in writing, that the record has been amended.

## 5. Related Information

- 5.1. Permission to Share form  
5.2. Notification of Rights e-mail message  
5.3. Policy Adopted by BUCOM 9.29.2022

## 6. Publications

Yes	Publication	Yes	Publication
	University Academic Catalog		University Website
	University Student Handbook		MyCampus
	University Faculty and Staff Handbook		Other University Publication:

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