

To: Fort Wayne Senate

From: Educational Policy Committee
Dr. Glenda Moss, Chair

Date: March 20, 2009

Subject: Revisions to the IPFW policy on release of student information

Disposition: For information only

The registrar's office issues the policy on release of student information, based largely on provisions in the federal Family Educational Rights and Privacy Act. The policy is published as Appendix A to the IPFW Academic Regulations and Procedures.

In cooperation with the Educational Policy Committee, the registrar has recently amended the policy by deleting the overstrike text and inserting the bold text below.

IPFW ACADEMIC REGULATIONS AND PROCEDURES

Appendix A. Release of Student Information

A. In compliance with the Family Educational Rights and Privacy Act, the IPFW policy governing access to student records is described below, beginning with the following definitions:

1. Student is defined as one who has attended or is attending IPFW.
2. Educational records include those records maintained by the institution but exclude records maintained by individuals and available only to those individuals or designated substitutes (i.e. "personal files.")
3. Directory information is limited to name, address, phone, email address, class standing, college/school/division, major field of study, dates of attendance, current enrollment status, degrees and awards, recognized student activities, sports, and information related to participation on athletic teams. Records of arrests and/or convictions are public records and thus not subject to institutional policy.
4. Record includes any data or information about the student and related individuals regardless of media used to create or maintain the record.
5. Disciplinary action is defined as the outcome of an investigation by the university of a student who has been accused of an infraction or violation of the internal rules of conduct applicable to students.

B. Directory information will be released in response to any request unless the student has filed a restrainer form according to procedures specified by the Registrar. The student has the right to restrain release of any or all of the directory information.

C. All students have educational records located in one or more of the following offices and maintained by the administrator of that office: Academic Internships, Cooperative Education, and Service Learning, Academic Success Center, Admissions, Affirmative Action/Equal Employment Opportunity, Alumni Relations, Athletics, Recreation, and Intramural Sports, Bursar, Career Services, Center for Academic Support and Advancement, Collegiate Connection, Continuing Studies, Dean of Students, Diversity and Multicultural Affairs, Financial Aid, First Year Experience, Honors Program, International Programs, International Student Services, Mastodon Academic Performance Center, Mastodon Advising Center, Registrar, Services for Students with Disabilities, Student Housing, Student Life, Testing Services, Women and Returning Adults Center, University Police, and academic units.

D. The confidentiality of all records may be broken in an emergency situation if deemed necessary in terms of the severity of the emergency, the usefulness of the records, and the extent to which time is critical in responding to the emergency.

E. A student's record is available to that student, with the following exceptions:

1. Confidential letters of recommendation submitted prior to 1975.
2. Records of parents' financial status.
3. Records described in Sections F, G, and H, below.

F. Records related to the employment of a student are subject to other laws and administered by the Human Resources office.

G. Medical and psychological records will be released only to a physician or other health-care professional designated by the student.

H. Letters of recommendation for which the student signed a voluntary waiver of access will not later be disclosed to the student. Waivers must be voluntarily signed by the student and may only be related to recommendations concerning admission, candidacy for awards, and candidacy for employment. These recommendations may be used only for the purpose originally intended.

I. Except as noted above, student records are available to members of the faculty and staff who have a legitimate need for access to the record, with the legitimacy of the request determined by the administrator of the office responsible for maintenance of the record.

J. The following procedures apply to all offices maintaining records:

1. The student may see the record after completing a written request, either in person or by mail.
2. Access to the record must be allowed within 30 days and the student must be allowed to copy the record, subject only to payment of any applicable copying charges.

3. The student must receive an interpretation of the record, upon request, at or after the time that access is granted.
4. If the student objects to any part of the record, and the responsible office will not revise the record as requested, the student must be given an opportunity to request a formal hearing concerning the objection. Policies and procedures governing the hearing process will be specified by the Vice Chancellor for Academic Affairs.

K. Records about a student will be released without the consent of the student in the following circumstances:

1. To the student's parents if the student is a dependent as defined by the Internal Revenue Service.
2. To federal officers as prescribed by law.
3. As required by state law.
4. To agencies or individuals conducting educational research, provided that the administrator of the records is satisfied concerning the legitimacy of the research effort and the confidentiality to be maintained by the researcher.
5. To agencies responsible for accreditation of the institution or its programs.
6. In response to a lawful subpoena, subject to making reasonable attempts to provide prior notification and opportunity for objection by the student.
7. To institutional security officers when necessary for a criminal investigation.
8. To the alleged victim of a crime provided that the release is limited to the disciplinary action and that the disclosure of this action is considered by the university to be appropriate.
9. To a transfer student's former college/university and to a college/university that a student is seeking to attend.
10. To contractors, volunteers, and other non-employees performing institutional services and functions as school officials with legitimate educational interests. This includes the National Student Clearinghouse, American Campus Communities, and Educational Computer Systems Incorporated (ECSI).

L. Records about a student will otherwise be released only upon completion of a consent form signed by the student. Any such release must include a notice that further release by the recipient is prohibited by law, and a record of the release must be retained.

M. The institution reserves the right to maintain only those records it considers useful and to set retention schedules for various categories of those records. However, the administrator responsible for each category of records must ensure that a record being challenged is not destroyed prior to resolution of the dispute concerning its contents.