

SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA

POLICIES AND PROCEDURES GOVERNING THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) AND PENNSYLVANIA'S RIGHT TO KNOW LAW

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, P.L. 93-380; AND RIGHT TO KNOW LAW PA P.L. 390

Slippery Rock University collects and retains information about students in order to aid them in their educational development. The University recognizes that each student has a right of privacy and exerts careful control over what information may be disclosed under the terms of the federal Family Educational Rights and Privacy Act and the Pennsylvania Right to Know Law. However, the University will exercise its right to collect information about students in order to fulfill its educational mission. For the purposes of complying with FERPA, an applicant to SRU becomes a "student" on the first day of the first term/semester in which the student is registered at the University.

The University adheres to the stipulations set forth in Public Law 93-380 (1974), which is commonly known as the "Family Educational Rights and Privacy Act" or the "Buckley-Amendment." This law contains provisions that give students and, under certain conditions, the parents of financially dependent students access to inspect the students' education records, including all material that is incorporated into each student's record but is not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores); attendance dates, scores on standardized intelligence, aptitude and psychological tests, interest inventory results, some health data, family background information, teacher or counselor ratings and observations, verified reports of services or recurrent behavior patterns. Generally these records would include any personally identifiable information about a student except for the following:

- 1) Confidential evaluations and letters of recommendation filed before Jan. 1, 1975.
- 2) Evaluations and recommendations after that date, if the student has waived his/her rights to see them.
- 3) Parents' financial records.
- 4) Documents classified as non-educational:
 - a. Records of instructional, and administrative personnel and educational personnel ancillary to those persons that are kept in sole possession of the maker of the record and are not accessible or revealed to any other person except another substitute for the maker of the record and which are typically maintained by the school official unbeknownst to other individuals. Records relating to a student that were created in conjunction with another person are education records, subject to FERPA are not sole possession records.
 - b. Records created by a law enforcement unit for a law enforcement purpose and maintained solely by that law enforcement unit.
 - c. Records relating to an individual's employment by an educational agency or institution as long as the records are not contingent on the fact that the employee is a student.
 - d. Records made by a physician, psychiatrist, psychologist, counselor or other health care professional related to the treatment of a student.
 - e. Records containing information about individuals after they are no longer students at the University (dropouts, alumni, etc.).

The University also adheres to the conditions contained in the Pennsylvania Right to Know Law. P.L. 390 (June 21, 1957).

This information is an abstract of the content and spirit of these two public laws. However, it should be recognized that certain stipulations contained in these laws are controlled by practical considerations such as the specific nature of the records sought, the specific definition of the parties enabled to see them, the procedures left to the discretion of the University, the use of informal non-judicial hearings to settle disputes, and the enforcement problems of the commonwealth or the secretary of health, education, and welfare.

Copies of the University's procedures and policies concerning FERPA are available from the Office of Academic Records & Registration.

Only information relevant to the student's education may be included in files and records. No record will be made of race, religion, political or social views, or organizational membership not related to the University community unless such information is supplied voluntarily by the student. Students will be notified of their FERPA rights annually by publication in each semester's master class schedule and via email. Information on FERPA is also available on SRU's Student Consumer Information website and in the University's academic catalogs.

Slippery Rock University will maintain a record of all requests for and/or disclosures of information from a student's education records to third parties who requested information without the student's consent or are not school officials having a legitimate educational interest. The record may be reviewed by the eligible student.

A. TYPE AND LOCATION OF EDUCATION RECORDS AND OFFICERS RESPONSIBLE

- 1) The principal education record of each student is kept at the Office of Academic Records & Registration, Room 107, Old Main, 724-738-2010. The Director of Academic Records & Registration or his/her representative is responsible for these records. Inquiries concerning these records must be made in writing to the Director of the Office Academic Records & Registration.
- 2) Certain other offices maintain informal or unofficial records. Inquiries concerning these records should be made in writing to the persons supervising the records with a copy to the Director of Academic Records & Registration.
 - a. Academic deans/Associate Provost of Student Success - student correspondence, suspensions, probation, waivers. (Physical Therapy, Eisenberg Classroom, McKay Education and Strain Behavioral Science buildings and Smith Student Center)
 - b. Graduate Admissions Office - transcripts, correspondence, waivers, admissions file, degree candidacy approvals. (North Hall)
 - c. Academic departments/advisers - academic histories, waivers, placement test results. (Eisenberg Classroom, McKay Education, Spotts World Culture, Strain Behavioral Science, Jack Dinger, Physical Therapy, and Art buildings, Morrow Field House, University Union, Bailey Library, Miller Auditorium, Vincent Science Center, Stoner Instructional Complex, and Swope Music, Carruth Rizza and Advanced Technology and Science halls)
 - d. Undergraduate Admissions - applications and supporting transcripts, test scores and recommendations. Students who apply for admission, but never attend SRU are not permitted to review their records. (North Hall)
 - e. Office of Global Exchanges and Partnerships - applications and supporting credentials/correspondence for international applicants. (Spotts World Culture)
- 3) The following offices maintain administrative (rather than academic) records relevant to their work. Inquiries concerning non-confidential records should be made in writing to the person supervising the record with a copy to the Director of the Office of Academic Records & Registration.
 - Director of Financial Aid - financial aid letters, records, forms (parental information confidential to student) (Maltby Center)
 - Director of Student Conduct - disciplinary action files (Patterson Hall)
 - Director of Counseling Center - current test/evaluation records, and personal notes from counseling sessions (confidential to student) (Rhoads Hall)
 - Director of Career Services - placement credentials and recommendations (recommendations placed in a student's file before Jan. 1, 1975, or for which a student waived his/her right of access are confidential to student) (Bailey Library)
 - Director of Residence Life - Residence hall disciplinary files (residence adviser files) (Watson Hall)
 - Director of Student Accounts - records pertaining to student's charges and payments (parental information is confidential to student) (Old Main)
 - Director of University Police - accident reports, vehicle registrations, criminal record information (confidential to student with exceptions)-see D4b (Security Office)
 - Director of Student Health Center - student health records (some information is confidential to student) (Rhoads Hall)
- 4) Each record custodian is to keep a record of all third party disclosures made in accordance with the Family Educational Rights and Privacy Act.
 - a. Students may review their education records upon written request of the person supervising the records in question, as listed above. The Office of Academic Records & Registration has a form available for making such a request. The record custodian will comply as soon as possible, but must respond to the request within 45 days.
 - b. If, after reviewing their education records, students have any questions, they may request an oral or written explanation and interpretation from the record's custodian.
 - c. Students may review copies of every document in their files that are, according to FERPA, open to them. While FERPA does not give students a right to receive copies of their records, if copies should be made available the cost per document will be \$3. Copies will not be supplied to students who have any outstanding debts to the University or unresolved disciplinary actions. The University will not make copies of any record with an original or source document in existence elsewhere (i.e. records of other schools).

B. CORRECTION OF RECORDS

- 1) If, after inspecting and reviewing their records, students believe that any information is inaccurate or misleading or violates their rights of privacy, they may request in writing (form available in the Office of Academic Records & Registration) that their records be amended.
- 2) The written request will then be forwarded to the offices in question by the Office of Academic Records & Registration. The offices supervising the student's records must respond to the student within a reasonable period of time after receipt of the request.
- 3) If the offices refuse to amend the records in accordance with the student's requests, the student may request a hearing by completing and filing a "Student Request for Formal Hearing Form" with the Office of Academic Records & Registration.
- 4) The hearing will be arranged by the Director of Academic Records & Registration and will be conducted by a committee consisting of persons who do not have a direct interest in the outcome of the hearing - chaired by the vice president of the division in which the record is stored and two individuals to be selected by the vice president.
- 5) The hearing will be held within a reasonable period of time after the student has made their request, and the student will be given the date, place and time, reasonably in advance of the hearing.
- 6) The student will be afforded a full and fair opportunity to present evidence relevant to the issue raised and may be assisted or represented by individuals of his/her own choice at his/her own expense, including an attorney.

- 7) The committee will make its decision in writing based solely upon the evidence presented at the hearing. The decision will be given to all parties concerned and will summarize the evidence and state the reasons for the decision.
- 8) If, as a result of the hearing, the committee supports the explanation of the student, the education records of the student's will be amended accordingly, and the student will be so informed.
- 9) If the committee decides against the student, he/she has the right to place in their records a statement commenting on the information in the record and/or stating his/her reasons for disagreeing with the decision. These explanations will be maintained by the University as part of the education records of the student as long as those records are maintained, and whenever these records are sent to any party, the student's explanations will accompany them. This does not apply to hearings on grades that are accurately recorded.

C. DISCLOSURE OF INFORMATION FROM RECORDS

No office maintaining the education records of students will disclose any personally identifiable information from those records to anyone other than the students without the written consent of the student, except as provided below:

- 1) To school officials who have a legitimate educational interest in the information. The University defines "school official" as any individual who is associated with the governance of the University and/or is employed by the University, and/or is an outside contractor hired by the University to perform a function that it would normally perform itself. More specifically, "school officials" include, but are not limited to, the following individuals, their subordinates, clerical staffs, student workers and designees:
 - Members of the Pennsylvania State System of Higher Education board of governors
 - Members of the Pennsylvania State System of Higher Education administrative office
 - Members of the Slippery Rock University Council of Trustees
 - The president, vice presidents and assistant vice presidents
 - The University's legal counsel
 - Academic deans, their assistants and the associate provosts for enrollment services, and administrative and information technology.
 - The directors of Admissions, Academic Records & Registration, Accounting Services, Administrative Computing, Financial Aid, Career Services, Student Life, Residence Life, Student Health Center, Counseling Center, Student Success, Inclusive Excellence, Intercollegiate Athletics, Alumni Affairs, Career Services, Global Exchanges and Partnerships, Continuing Education, Orientation, Telecommunications and Networking, Cooperative Activities, Multicultural Programs, Social Equity, Students with Disabilities, Public Relations and Sports Information, Student Engagement and Leadership, in addition to the student's residence coordinator, academic adviser, department chairperson, professors and coaches.
 - Faculty members;
 - Any individual to whom the student has addressed an educational request, application or inquiry for which the records are needed to prepare a reply.
 - Outside contractors hired by the University to perform functions that it would normally perform itself.
 - Members of the University's Police Department;
 - Members of official University committees;
 - The National Student Clearinghouse;
 - U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education;
 - State and local educational authorities;
- 2) The University defines "legitimate educational interest" as the need to access any education record information that will aid school officials in fulfilling their professional responsibilities.
- 3) Upon request, the University also reserves the right to disclose students' education records without consent to officials of other schools in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the students' enrollment or transfer.
- 4) The records of students may be disclosed to those federal, state and local authorities involving an audit or evaluation of compliance with education programs.
- 5) The records of students may be disclosed to authorized representatives of the comptroller general of the U.S.; the U.S attorney general or designee (for federal related programs and in response to an ex parte order in connection with the investigation or prosecution of terrorism), the secretary of education or state and local education authorities.
- 6) The records of students may be disclosed to an agency to which the students have applied for or from which they have received financial aid, or which has made decisions concerning eligibility, amount, or enforcement of terms of such aid.
- 7) The records of students may be disclosed to educational agencies, institutions and organizations that are conducting studies to develop, validate, or administer predictive tests, administer student aid programs, improve instruction, or fulfill its accreditation responsibilities.
- 8) If the University receives a subpoena or judicial order requesting student's educational records, the University will (except when prohibited by law) write the student in care of the last address of record notifying them of the request. If the University does not receive a court order preventing the release of the student's records within seven working days from the receipt of the subpoena, the University will release the records identified in the subpoena.
- 9) If a parent or eligible student initiates legal action against SRU, the University may disclose without a court order or subpoena, the student's educational record to its legal counsel and any agency as necessary to defend itself.
- 10) The records of students may be disclosed without written consent in a health or safety emergency, as provided by law.
- 11) The University reserves the right, but is not required, to furnish to parents or guardians of financially dependent students (as defined in Section 152 or the IRS code of 1986) any information relating to such students' academic status. If proof of dependency is requested, it is the parents' responsibility to submit the appropriate documents (tax forms), and this information must be furnished annually. The University may disclose information to either parent of a dependent student, regardless of the parent's status as custodial parent. SRU students have the ability to create an account to allow their parent(s)/guardian(s) access to view their academic and financial information. The assigned Proxy will be able to view student information such as mid-term grades; final grades; student class schedule; student account information; financial aid information.
- 12) All "Directory Information" (follows in section E) may be released without the prior written consent of students.
- 13) Records maintained solely by the University Police that were created by that office for the purpose of law enforcement may be released in accordance with University policy and state law.

- 14) The Warner Amendment (1998 Reauthorization) permits the University to disclose the final results of any disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of any crime of violence (see section 16 of title 18 of the U.S. Code), or a non-forceful sex offense, if the University determines as a result of disciplinary proceedings that the student committed a violation of the University's rules and policies with respect to such crime or offense. "Final results" refer to the name of the student, the violation committed and any sanction imposed on the student. The names of victims and witnesses are not to be released without their written consent.
- 15) The Foley Amendment (1998 Reauthorization) permits the University to disclose to a parent or legal guardian of a student, information regarding any violation of any federal, state or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, if:
 - The student is under the age of 21.
 - The University determines the student has committed a disciplinary violation with respect to such use or possession.
- 16) In 2013 the Uninterrupted Scholars Act amended FERPA and permits the release of records to an agency caseworker, tribal representative or state or local welfare agency that has the right to access a student's case plan, when such agency/organization is legally responsible for the care and protection of the student.

D. DIRECTORY INFORMATION

The following items have been classified as "Directory Information," and as such, may be released at the University's discretion, in writing or over the phone without student's prior consent.

Students wishing to withhold the release of all of this information must complete a "Request to Prevent Disclosure of Directory Information Form" in the Office of Academic Records & Registration.

- 1) Student's name, home, local and e-mail addresses and telephone numbers; date and place of birth; major, minor and concentration fields of study; areas of certification; student activities including athletics, weights and heights of athletic team members; dates of attendance; the number of credits for which a student is registered (full- or part-time status), degrees and awards received, date of graduation, all previous educational institutions attended, academic awards/scholarships, title of master's thesis, pictures of students, class level, (anticipated) graduation date and a student ID number used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc.
- 2) GPA's will not be divulged without the prior written consent of students or as permitted by FERPA under section C.

E. RECORDS RETAINED BEYOND GRADUATION OR FINAL DEPARTURE FROM THE UNIVERSITY

- 1) Financial records - as long as an obligation to the University remains or as long as the federal and/or state agencies/accounting systems require.
- 2) Placement records - Seven years - unless updated
- 3) Medical, counseling and psychiatric records: Five to Seven years
- 4) Student life (discipline) records: Seven years beyond the date of the most recent incident. Records including suspensions or expulsions are kept indefinitely.
- 5) Academic records - courses, grades, GPA's, records of probation, suspension, dismissal - forever; all other records, five years after last date of attendance.
- 6) Admissions records - Five years from the student's year of application.

F. RIGHT OF COMPLAINT

A student who believes the University is not complying with the requirements of the Family Educational Rights and Privacy Act or the regulations issued by the Federal Department of Education implementing the act, may file complaints in writing to the:

Student Privacy Policy Office
U.S. Dept. of Education
400 Maryland Ave. S.W.
Washington, D.C. 20202-5920

Questions concerning the contents of this brochure should be directed to:

Constance Edwards
Director of Academic Records & Registration
Slippery Rock University of Pennsylvania
1 Morrow Way
Slippery Rock, PA 16057
724.738.2010

Respect for Individuals in the Community

Slippery Rock University provides an environment that respects, encourages and promotes the talents and contributions of all. Slippery Rock University values a community with a shared sense of purpose, where people demonstrate mutual respect and appreciation. Slippery Rock University values diversity that honors and includes all persons regardless of age, creed, disability, ethnic heritage, gender, gender identity, race, religion, sexual orientation, or socioeconomic status in academic and extracurricular endeavor, in the working environment and in the daily life of the University community.

Slippery Rock
University

www.SRU.edu

A member of the Pennsylvania State System of Higher Education