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Student Records Guidelines: Disclosure of Student Information

In accordance with the provisions of the Family Educational Rights and Privacy Act (commonly referred to as FERPA or the "Buckley Amendment") (20 U.S.C. §1232g; 34 CFR Part 99), Seattle University has adopted these Student Records Guidelines to protect the privacy of the education records of its students. Students will be informed of these guidelines and any amendments through their Seattle University e-mail account.

Seattle University students who apply for admission to another component unit of the University (i.e., colleges and schools that comprise the University) do not have FERPA rights with respect to education records maintained by that other component, including records maintained in connection with the student's application for admission, unless the student is accepted and attends that other component of the University. For example, an undergraduate student who applies and is denied admission to the law school is not entitled under FERPA to access his/her law school application records.

A student's FERPA rights begin on the first day of his or her first quarter at the university or, if subsequently enrolling in another component unit, on the first day of attendance in that unit.

The term "education records" means those records, files, documents, and other materials in handwriting, print, tape, film, electronic, or other media that contain information directly related to a student and are maintained by Seattle University (the "University") or a party acting for the University. A "student" is any person who currently attends or has attended the University.

The University holds various types of education records in various locations on campus. The records and their typical locations are as follows:

1) the official education record, which includes the University transcript, records relating to prior educational experience, and admissions documents, are on file in the Office of the Registrar;

2) working academic files are maintained by deans, department chairpersons, and academic advisers in their respective offices;

3) records related to a student's nonacademic activities are maintained in the Office of Student Development; and

4) records relating to a student's financial status and financial aid are maintained in the Office of the Controller and the Office of Student Financial Services.

Education records do not include:

1) records created or held by instructional, administrative, and educational personnel that are in the sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute;

2) records of the Office of Public Safety;

3) employment records;

4) alumni records that contain information about an individual after he or she is no longer a student at the University;

5) medical or health records made and maintained in the course of treatment and disclosed only to those individuals providing treatment; or

Directory Information

In accordance with the provisions of FERPA, the University has the right to provide "directory information" without the student's written consent. The University currently defines "directory information" to mean the following:

- student name
- campus address (building only)
- campus phone (if any)
- SU email address
- major field of study
- dates of attendance
- degrees and awards received
- grade level
- enrollment status (i.e., full-time, part-time, undergraduate, graduate)
- name of the most recent previous educational institution attended
- participation in official activities or sports
- weight and height of members of athletic teams
- photographs (for University use only)

Under FERPA, students have the right to withhold directory information by notifying the university. A student must file the “Directory Information Remove or Prevent Disclosure” form with the Office of the Registrar by the close of official registration for each term, as announced in the University calendar. Directory information will be withheld indefinitely unless the request to withhold disclosure is revoked in writing at the Registrar's Office.

Even if a student has submitted a request to withhold directory information, federal law (pursuant to the "Solomon Amendment," effective March 1, 1997) requires the University to provide address listings for all students, on demand, to any legitimate United States military recruiter, without the need to obtain a student’s consent.

Disclosure of Information

The university will not disclose personally identifiable information, other than directory information, from a student's education records without the student's written consent except under circumstances permitted by FERPA which generally are:

1) to school officials with a legitimate educational interest;

   A "school official" is:
   - a person employed by or under contract with the University in an administrative, supervisory, academic, research, or support staff position;
   - a person serving on the Board of Trustees;
   - a person or firm retained by the University to perform professional services, such as legal services or accounting or auditing services; or
   - a person or company under contract with the University to manage or perform operations functions, such as food services, the bookstore, Campus Card, or food and beverage vending.

   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;
   - performing a task related to a student's education;
   - performing a task related to the discipline of a student; or
   - providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.

2) to officials of other educational institutions in which students seek to enroll;

3) to persons or organizations providing students with financial aid;

4) to accrediting agencies carrying out their accreditation functions;

5) to authorized representatives auditing and evaluating federal and state supported programs;

6) to organizations or firms conducting studies on behalf of the University or other educational institutions;

7) to either of two parents when at least one parent has established the student's status as a dependent according to Section 152 of the Internal Revenue Code;

8) to the legal guardian of a student when the guardian has established the student's status as a dependent according to Section 152 of the Internal Revenue Code;

9) to a parent or legal guardian when a student under the age of 21 has committed a disciplinary violation with respect to the use or possession of alcohol or a controlled substance;

10) to comply with a judicial order or subpoena (unless the subpoena is signed by a grand jury or issued for law enforcement purposes, the Office of the Registrar will make reasonable efforts to notify the student);

11) to the court in the event of legal action between the University and the student;

12) to persons, as described by state law, serving a juvenile student within the juvenile system, who first certify in writing that the information will not be disclosed to any other party without the prior consent of the parent/legal guardian or student;

13) the final results of a disciplinary hearing to an alleged victim of a crime of violence;

14) the final results of a disciplinary hearing concerning a student who is an alleged perpetrator of a crime of violence and who is found to have committed a violation of the University's rules or policies; or

15) to persons in connection with a health or safety emergency.

Drug and Alcohol Violations: Parental Notification Without Student Consent

The Vice President for Student Development, or designee, has the authority to determine when and by what means to notify parents or legal guardians, without a student's consent, when a student under the age of 21 is found to have violated any law or University rule or policy related to the possession, use, or distribution of alcohol or controlled substances.

The Vice President for Student Development, or designee, may choose to disclose information regarding drug or alcohol violations to parents or legal guardians without a student's consent when:

1) the violation involved harm or threat of harm to the student, other persons, or property;

2) the violation involved an arrest in which the student was taken into custody;

3) the violation resulted in or could result in the student being suspended or dismissed from the University or from University housing;

4) the student has shown a pattern of behavior or violations that indicate a potential alcohol or drug problem; or

5) the student who committed the violation became physically ill or required medical intervention as a result of the consumption of alcohol or the use of controlled substances.

The Vice President for Student Development, or designee, may delegate to other University officials the notification of parents or legal guardians. Whenever possible, a student will be informed that disclosure to parents is planned in advance of the student's parent receiving the notice.

Nothing in these guidelines prevents University officials from disclosing information in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Consent to Disclosure of Information

Except as provided by FERPA, a student must provide a signed and dated written consent before the University will disclose personally identifiable information from the student's education record. The written consent must (1) specify the records that may be disclosed; (2) state the purpose of the disclosure; and (3) identify the party or class of parties to whom the disclosure may be made. Consent forms are available in the Office of the Registrar or on SU-OnLine at www.suonline.edu (click on "Registrar's Forms" under the "Student Menu").

Records of Requests for Disclosure

The University will maintain a record of all requests for or disclosure of information from a student's education records, except as provided by FERPA. 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 eligible student or by his or her parents/legal guardian if the student is a dependent (as defined by the Internal Revenue Code). Any third party to whom records were disclosed may not release that information to any other party without the student's permission. Third parties who disclose information in violation of this requirement will be prohibited for five years from any further inspection of records at the University.

The record keeping requirement does not apply when the disclosure is to the student, the student's parent or legal guardian (if the student is a dependent as defined by the Internal Revenue Code); a party with written consent from the student; a school official; a party seeking directory information; or a party seeking records as directed by a grand jury or law enforcement subpoena.

Inspection and Review of Records

Students may inspect and review their education records on written request to the person in charge of the records. That person will comply with the request as soon as reasonably possible, or within 45 days after the request has been made, as required by law.

Students have the right to review and inspect all education records in their file except:

1) financial information submitted by their parents;

2) confidential letters and recommendations associated with admissions, honors, employment, or job placement to which they have waived their rights of inspection and review or which were placed in the file before January 1975;

3) education records containing information about more than one student, in which case the institution will permit access only to that part of the record pertaining to the inquiring student; and

4) records connected with an application to attend the University if that application was denied.

If, after inspecting and reviewing the records, a student has any questions about them, the student may request an oral or written explanation and interpretation of the records.

If, after inspecting and reviewing the records, a student believes that any information contained in them is inaccurate or misleading, or in violation of the privacy rights of the student, the student may request in writing that the office holding those records amend them. That office will reach a decision and inform the student of this decision in writing within a reasonable time after receipt of the request. If the office refuses to amend the record in accordance with the student's request, the University will notify the student of the right to a hearing.

The Provost will appoint a person or persons to conduct the hearing who do not have a direct interest in the outcome of the hearing. The hearing will be held within a reasonable time after the request has been made, and the student will be given reasonable notice of the date, place, and time of the hearing.

The student will be afforded a full and fair opportunity to present evidence relevant to the issue raised, and may be assisted by individuals of his or her own choice at his or her own expense. The hearing officer/panel will make its decision in writing within a reasonable time after the conclusion of the hearing. The decision will be based solely on the evidence presented at the hearing and will consist of a written statement given to the student and the University summarizing the evidence and stating the reasons for the decision.

If, as a result of the hearing, the hearing officer/panel decides that the information in the education record is inaccurate, misleading or otherwise in violation of the privacy rights of the student, the education records of the student will be amended accordingly and the student will be informed in writing.

If, as a result of the hearing, the hearing officer/panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, the University will inform the student of the right to place a statement in the record giving the reasons for disagreeing with the decision. The University will maintain the student's statement with the contested part of the record as long as the record is maintained, and whenever it discloses the portion of the record to which the statement relates, the statement will accompany it.

The University will provide copies of education records if circumstances effectively prevent a student from exercising his or her right to inspect and review education records. Students who receive a copy of their education records must pay a reasonable charge for the copies unless the copy charge effectively prevents the student from exercising the right to inspect and review records

Right of Complaint

A copy of the full text of FERPA is available in the Office of theRegistrar .

Students who believe the University is not complying with the requirements of FERPA or the regulations issued by the Department of Education implementing FERPA may file complaints in writing with:

The Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202-4605
(202) 732-1807

The University may amend these guidelines from time to time. Students will be notified of any amendments to these guidelines through their University e-mail accounts and the amendments will be effective as of the first business day following the transmission of the e-mail.

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