Willamette University

Education Records Policy

(Complete Version, Adopted 12/21/96, Revised by FERPA Committee 11/04/2004)

Willamette University's education records policy is intended to comply with the requirements of the Family Education Rights and Privacy Act (FERPA). Students will be informed annually of their FERPA rights by publication in the Willamette University Selected Policies Manual. All school officials, as defined below, are expected to manage student records in their custody in accordance with FERPA regulations.

FERPA (20USC 1232G Appendix 1 et.seq.), effective November 19, 1974 (as amended) is intended to afford students the right to inspect, review, and control access to their education records maintained by an education institution.

I. Definitions

Student - Any person who has registered for and attended one or more courses offered by Willamette University for credit. Applicants for admission are not defined by Willamette University as students.

For clarification purposes, the following individuals are not considered students: Applicants, unapproved applicants, summer athletic programs, 3rd party summer camps, swim lessons, music lessons, Senior Learning Seminar, Willamette Academy, auditors, and academic listeners.

Institution – Willamette University, including but not limited to the College of Liberal Arts, School of Education, Atkinson Graduate School of Management, and College of Law.

Education records - any information directly related to the student, regularly maintained by the institution or an agent of the institution, except:

A staff member's personal records if kept in the sole possession of the maker of the record and not accessible or revealed to any other person except a temporary substitute for the maker of the record.

Campus Safety records which are created and maintained by Willamette University's Campus Safety Office for safety and policy enforcement considerations and are not provided to other officials of Willamette University; once these records are released to other offices, they are considered education records.

Employment records
Work created by a student pursuant to a specific direction or assigned duty (other than the teaching of courses) as a consequence of employment by the University is the property of the University.

Physician/psychiatrist/psychologist records if the records are used only for the treatment of student and made available only to those persons providing the treatment

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

Records maintained by Willamette University's legal counsel

*School official* – an employee, trustee, a person under contract, or designated student of the institution. This is a broad category that includes an attorney, an auditor, health care provider, Campus Safety Officer, and students serving on official committees or assisting school officials in the performance of their duties.

*Directory information* - is defined as the following:

- Name
- Address
- Telephone number
- Internet "email" address
- Current enrollment status
- Dates of attendance
- Degrees conferred and dates
- Major field of study
- Sports participation history
- Height, weight of athletes
- Photographs
- Honors and awards
- Previous institutions attended

Directory information may be released for any purpose at the discretion of school officials unless notified in writing by a student requesting that the information be withheld. The *Fusser's Guide*, the online campus directory, is the source of students' addresses, phone numbers and email addresses.

*Confidential information* - includes but is not limited to the following:

- All information (except for directory information) in the application for admission
- Rank in class
- Application for graduation
- Willamette's Academic Degree Audit Report
- Transcript information
II. Access to Education Records and Release of Records

Student access - A student has access to all education records, and may personally view his/her education records within 30 days of the initial request, with the following exceptions:

- Financial statement of the student's parents
- Recommendation letters/statements for which the student has waived right of access, or which were maintained prior to January 1, 1975
- Application records if the application was denied

Copies of records - The institution reserves the right to deny copies of education records.

Release of education records with student consent - A student may authorize the release of any or all parts of his/her education record to a third party providing the student's authorization is made in writing, signed, and dated or via an authorized and authenticated electronic method. Such authorization remains in effect till the end of the current academic year unless otherwise requested.

Procedure of serving the student request needs to be outlined.

Release of education records without student consent - The institution will disclose information from a student's education record only with the written consent of the student, except that the institution may release information in the following situations:

To individuals requesting Directory Information as designated by the institution

To a school official with a legitimate educational interest in the records (defined as an official acting on behalf of the student and performing a task 1. that is specified in his/her position description or contract agreement; 2. related to the student's education; 3. related to the discipline of the student; 4. which is of service to the student or the student's family such as health care or financial aid; or 5. related to campus safety or security)
To an official of another school in which the student seeks or intends to enroll

To persons or organizations providing financial aid to students, or determining financial aid decisions concerning eligibility, amount, condition, and enforcement of said aid

To appropriate state or federal agencies, to accrediting agencies, and to organizations carrying out studies on behalf of the institution

To parents of an undergraduate student who is claimed as a dependent for income tax purposes if it is determined that there are circumstances that warrant releasing the information without a student's written consent. Information will be released if 1. the parents confer with the CLA Associate Dean to discuss the circumstances, 2. the parents complete the special request form for access to transcript information and current schedule, and 3. the parents demonstrate that the student is a legal dependent. Information which may be released to parents is limited to the student's grade record (transcript) and current course schedule. Prior to the release of the information, the Registrar's Office will notify the student about the request for information. If educational information is released to a custodial parent of whom the student is a dependent, a duplicate of the released information may also be released upon request to a natural, non-custodial parent of whom the student is not a dependent, as appropriate.

To parties specified in a judicial order or lawfully issued subpoena. An attempt to notify the student is required by law before Willamette can honor such an order or subpoena unless the order or subpoena states the student not be notified

To appropriate parties in a health or safety emergency

To an alleged victim of any crime of violence (34 CFR Part 99 Appendix A). The information released will be limited to the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

To state and local officials or authorities if specifically required by a state law that was adopted before November 19, 1974

To participants of a legal process involving the university

To the parents of a student under the age of 21 when the student has violated the university policies related to drug or alcohol use

Fees for copying records - The fee for transcripts is $5 each; copies of other records are normally 50¢ per page.

III. Procedure for Inspection, Release, and Disclosure of Education Records

Students have the right to inspect and review their education records.
Procedure to inspect and review education records -- Students may inspect and review their education records upon their request. Students should submit the request to the University Registrar or other office that maintains the desired records. A request must identify as precisely as possible the record or records the student wishes to inspect. Proper identification will be required. The University office will make the needed arrangements as promptly as possible and notify the student of the time and place where records may be inspected. Access will be given within 30 days from the date of the receipt of the request. When a record contains information about more than one student, the student may inspect only those records which pertain to him or her.

Procedures for students to request the release of education records to third parties -- The following procedures should be followed:

Transcript of record -- As required by the FERPA, all students are required to submit signed and dated requests for copies of their official transcript of record. All requests for copies of the transcript of record are handled by the Willamette University Registrar's Office. The fee for official transcripts is $5 per transcript, and $2 for any additional copies of the transcript ordered at the same time.

Records in other offices -- Students should contact the University Registrar or records "custodian" in the appropriate office and submit a signed and dated written request that identifies as precisely as possible the record or records the student wishes to release.

Record of requests for disclosure -- Third parties requesting disclosure of student education records must submit a signed and dated request to the University Registrar or other office which maintains the desired records. A request must identify as precisely as possible the record or records the third party wishes to inspect. Proper identification will be required.

All offices that maintain education records will keep a record of all requests for disclosure of information to third parties from a student's education record. The request record must indicate the name of the party making the request and any additional party to whom it was disclosed. No request record is required for the release of directory information or the release of education records to School Officials. Students may inspect the records of requests for disclosure from their education records.

IV. Correction of Education Records

Students have the right to request that the University correct records that they believe to be inaccurate, misleading or in violation of their privacy rights. Procedures for requesting a correction of education record are as follows:

1. A student must submit a request in writing to the appropriate Willamette University official specifying the part of the record to be amended and indicating why he or she believes it is inaccurate, misleading, or in violation of his or her privacy rights.

2. Willamette University has the right to comply or not comply with the request. The School Official will inform the student in writing of the decision, normally
within five work days. The decision will include a summary of the information presented and reasons for the decision.

3. If the decision is not to amend the record, the student may appeal the decision in writing to the dean or vice president who has responsibility for supervising that area of operation. Decisions must be consonant with the existing policies and procedures of the university. A decision about the appeal will be communicated in writing to the student, normally within five work days. The decision will include a summary of the information presented and reasons for the decision.

4. If a record is not changed, the student will be notified that he or she has the right to place in the record a statement commenting on the challenged information or a statement setting forth reasons for disagreeing with the decision.

5. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the institution discloses the contested portion of the record, it must also disclose the statement.

Questions regarding this document should be referred to Annie Russell, University Registrar.
Phone: (503) 370-6206
Address:
University Registrar
900 State Street
Salem OR 97301