Policy Implementing The Family Educational Rights and Privacy Act
At the University of Central Missouri

This is a policy designated to state, in general fashion, the implementation of the Family Educational Rights and Privacy Act at Central. If there are any questions, or if further details are needed, you may contact the office of the Vice President for Student Affairs for assistance.

1. Students Rights.
   The Act provides students, and former students, certain rights which, generally stated, are:
   
   a) The right to review his or her education records and files and make copies, with certain exceptions.
   b) The right to have no educational data released to third parties unless the institution first has the consent of the student to do so.
   c) The right to be excluded from directories such as the student directory.
   d) The right to challenge, or object to, the contents of educational records on the grounds that they are inaccurate, misleading, or otherwise inappropriate.
   e) The right to file a complaint with the Family Policy Compliance Officer, US Department of Education.

2. Student Obligations.
   It should be noted that the rights accorded to students, and former students, by the law have corresponding obligations and duties. For instance, when a student requests access to his or her records, he or she must follow the required procedures and likewise, when a student requests correction of a record, he or she must do so according to the procedures set forth in this policy.

Annual Notice

Notice of these rights will be published annually in booklet form; notices will also be posted in the Elliott Union and other areas of the campus.

Directory Information

1. Publication of Information on Students.
   The below-listed information is designated as “directory information” with respect to each student, or former student, and may be published in directories, programs, etc., or released to third parties without the consent of the student unless the student requests, by the proper date, that some or all of the below-listed information not be published or released without his or her prior consent.
2. When Student Must Request Exclusion.
The date by which a student must object if he or she wishes to have some or all of the below-listed information excluded from “directory information” in regard to him or her, is the end of the 5th day after classes have begun in any semester/session of the school year.
   a) Special individual notice may be provided, however, to any student stating that, because of particular circumstances, the student is being provided special notice of the right to request exclusion and that he or she will then have five days to make such a request should the student elect to do so.

3. Items of Directory Information.
   a) Student’s name
   b) Student’s mailing, physical and UCM student email address
   c) Student’s telephone listing
   d) Student’s age and place of birth
   e) County, state, or US territory from which the student originally enrolled
   f) Student’s major field of study
   g) Class (junior, senior, etc.)
   h) Enrollment status (full-time, part-time, etc.)
   i) Student’s participation in officially recognized activities and sports
   j) Weight and height of members of athletic teams
   k) Student’s dates of attendance and anticipated date of graduation
   l) Student’s degrees and awards received
   m) Student’s most recent previous educational agency or institution attended
   n) Honors information

   A student wishing to exercise his or her right to exclusion must do so by executing a “Request for Exclusion from Directory Information” form. These and other forms mentioned in this policy can be obtained from the office of the Vice President for Student Affairs.

Access to Records

1. The University shall provide students who are or have been in attendance at the University access to their educational records except as provided in #2 below.

2. Limitations on Access.
The University will not make available to students the following materials:
   a) Financial records of the parents of students or any information contained therein.
   b) Confidential letters and statements of recommendation that were placed in the education records prior to January 1, 1975.
   c) Confidential recommendations respecting admission to the University, application for employment and receipt of an honor or honorary
recognition, if the student has signed a waiver of the student’s rights of access.
d) Other records not defined as education records.

The right to access as specified in #1 (above) shall include:
a) The right to be provided a list of the types of education records, which are maintained by the institution and are directly related to the students.
b) The right to inspect and review the content of those records.
c) The right to obtain copies of those records which may be at the expense of the student but not to exceed the actual cost of reproduction.
d) The right to respond to reasonable requests for explanations and interpretations of the education record.
e) The right to an opportunity for a hearing to challenge the content of those records.
f) If any material or document in the education records of a student includes information on more than one student, the right to inspect and review only such part of such material or document as relates to such student or to be informed of the specific information contained in such part of such material.

Destruction of Records

The University may destroy any records if not otherwise precluded by law; provided, that if a student has requested access to such records prior to the University making its decision to destroy the record, the student shall be provided a copy of such record prior to its destruction.

The Policy regarding destruction of records has been established in accord with Sections 109.200 to 109.310 RSMo (1969) known as “The State Records Law.” The policy for each of the specified offices listed below is presented in summary fashion. If a more detailed description of a particular office policy is desired, such can be obtained from the office involved; also, others having access (in addition to the attendant clerical staff) are shown.

1. List of education records maintained and open to student(s) and the custodian(s) of each:
a) Academic Record
b) Personal File

} Office of the Registrar

Custodians:
Registrar
Associate Registrar

Others having Access:
Faculty and staff with a legitimate educational interest

Policy on destruction:
Academic record – permanent retention
Personal file – 10 years retention
c) Discipline files: Office of Vice President for Student Affairs
Custodians:
  Vice President for Student Affairs
  Assistant Vice President for Student Affairs
Others having access:
  Staff in the above office with a legitimate educational interest.
Policy on destruction:
  Personal files – destroy when no longer of reference value
d) Graduate files: Office of the Dean of Graduate School
General Correspondence
Cards
Cards (inactive)
Approved cards, Degrees conferred
Student folders (active & inactive)
  Degrees conferred, cards, by majors
  Masters Certificates of Eligibility, 1965 to date
  Specialist folders
  Current term prospective degree candidates
  Minutes of the Graduate Council
  Reject folders
Custodian: Dean of the Graduate School
Others having access:
  Faculty and staff with a legitimate educational interest
Policy on destruction:
  Folders of active graduate students kept on file in the Graduate Office. If not active for a period of five consecutive years, contents of folders destroyed. Folders of those receiving degrees are maintained in the Graduate Office for ten years if masters degree conferred and for five years if Education Specialist degree conferred. Application to Graduate School card kept permanently in Graduate Office. General Correspondence files are maintained as long as needed. Graduate Council minutes maintained permanently in the Graduate Office.
e) Financial Assistance and Scholarship files: Office of Student Financial Assistance
Applications
Custodians:
  Director of Student Financial Assistance
  Assistant Director of Student Financial Assistance
Others having access:
  Staff of the Office of Student Financial Assistance
  Faculty and Administration with a legitimate educational interest.
Policy on destruction:
  Federal Perkins and Stafford Loan records – 5 years following
payment in full of the loan
Federal Pell, SEOG, and Work Study employment records – 5 years after termination of enrollment

f) Collections: Student Accounts and Loans
Custodian:
   Director Student Accounts and Loans
Others having access:
   Staff in the above office with a legitimate educational interest
Policy on destruction:
   Promissory notes, permanent retention ledger cards, permanent retention balance of folder may be destroyed 3 years after last payment

g) Credential files: Office of Career Services
Custodian:
   Director of Career Services
Others having access:
   Staff in the above office with a legitimate educational interest
Policy on destruction:
   Recommendations – 10 years if inactive

h) Veteran Educational Benefits files: Office of Student Financial Assistance
Custodian:
   Veteran Services Clerk
Others having access:
   Director of Student Financial Assistance and Veteran Services
   Veteran Administration Representative
   Secretary, Office of Veteran Services
Policy on destruction:
   Retained while active; held as inactive for 5 years

i) Housing Office files: Office of University Housing Administration
Custodians:
   Senior Director of University Housing and Residential Dining Services
   Director of Residence and Greek Life
   Associate Director of University Housing
   Assistant Director of University Housing
Others having access:
   Faculty and staff with a legitimate educational interest.
Policy on destruction:
   Student Housing files retained while active; held as inactive for 5 years.
   Housing change forms retained while active; held as inactive for 5 years.
   Student files retained while active; held as inactive for 5 years.

j) University Relations files: Office of University Relations
Custodians:
   Director of University Relations
Assistant Director Integrated Communication
Assistant Director Media Relations
Assistant Director Creative Services

Others having access:
Staff in the above office with a legitimate educational interest

Policy on destruction:
When no longer of reference value; however, there is a permanent record kept of every official news release which has been written

k) Intercollegiate Athletic Department files: Office of Director of Intercollegiate Athletics
Athletic Scholarships
Cumulative statistics and records of individual players
Custodian:
Director of Intercollegiate Athletics

Others having access:
Secretary to the Director of Intercollegiate Athletics
Staff in the above office with a legitimate educational interest

Policy on destruction:
Scholarship files and purchase requests – when no longer of value or after three years

l) Elliott Union files: Office of the Director of Elliott Union, Meeting and Conference Services
Student Committee Involvement Data
Custodian:
Director of Elliott Union, Meeting and Conference Services

Others having access:
Staff in the above office with a legitimate educational interest

Policy on destruction:
5 years after graduation or when no longer of reference value

m) University Health Services files: Office of University Health Services
University Health Center
Medical Records of UHC clients
Custodian:
Assistant Director of UHS for the Health Center

Others having access:
University Health Center staff with a legitimate work-related responsibility

Policy on destruction:
Retained until 10 years after last date of care

Counseling and Psychological Services
Counseling files of CPS clients
Custodian:
Assistant Director of UHS for CPS

Others having access:
CPS staff with a legitimate work-related responsibility
Policy on destruction:
Retained until 7 years after last contact, or 7 years after the client turns 18, whichever is greater.
n) All Academic Colleges: College of Science and Technology
   College of Arts, Humanities, and Social Sciences
   Harmon College of Business Administration
   College of Education
   College of Health and Human Services
   Honors College
   Library Services
   Graduate School
   Academic folders, general correspondence, graduate assistant program
   Custodians:
      Deans
      Department Heads
   Others having access:
      Coordinator of Graduate Studies
      Academic and University staff with a legitimate educational interest
   Policy on destruction:
      Retention until graduation or 5 years after last enrollment
   o) Teacher Education Files: Department of Educational Foundations and Literacy, Department of Elementary and Early Childhood Education, and the Director of Clinical Services & Certification
      Personal Teacher Education Folder
      Teacher Certification Records
      Student Teaching Records
      Custodians:
         Dean of Education
         Director of Clinical Services & Certification
      Others having access:
         Staff in above offices with a legitimate educational interest
      Policy on Destruction:
         Personal teacher education folders – when no longer of reference value
         Teacher certification records—when no longer of reference value
         Student teaching records—when no longer of reference value except for student teaching time report cards, which are retained permanently
   p) Testing Center Files: Office of Director of Testing
      Custodian:
         Director of Testing
      Others having access:
Release or Forwarding of Education Records or Data to Third Parties

1. Requests for educational data or information about a student, or former student, usually originate from either the student or from some third party, such as an employer or prospective employer of the student. The law provides that information from education records cannot be released to third parties unless the Institution first has the consent of the student, or former student to do so.

2. Exceptions to this policy are the following:
   - In relation to postsecondary institutions, prior consent is not required to disclose personally identifiable information:
     a) To a school official who has a legitimate educational interest
     b) To schools in which a student seeks or intends to enroll (the institution must make an attempt to notify the student that records are being provided)
     c) To Federal, State and local authorities involving an audit or evaluation of compliance with education programs
     d) In connection with financial aid (such as the administration or continuation of aid)
     e) To individuals or organizations conducting studies for or on behalf of an educational institution
     f) To regional or professional accreditation organizations
     g) To parents of a dependent student
     h) To comply with a judicial order or subpoena. A reasonable effort must be made to notify the student beforehand – unless so ordered by the subpoena not to do so
     i) In the event of a health or safety emergency where the information is required to resolve the emergency
     j) That is considered directory information, so long as the student has not requested nondisclosure of this information
     k) To the student
     l) That is the result of a disciplinary hearing where the student is the perpetrator of a crime of violence or a non-forcible sex offense. Under this exception, information may be released to anyone, including the media. No information on the victim or witnesses may be released.
     m) Of a student under the age of 21 who has committed a drug or alcohol related offense (e.g., reporting the offense to the parents of the student).

   The federal regulations state that the consent must:
a) Be in writing.
b) Be signed.
c) Be dated.
d) Specify the records or information to be released.
e) Specify the reasons for the release.
f) Specify the names of those to whom the records or information is to be released.

4. It should be noted that Central couldn’t, therefore, honor a request to send records or information (other than directory information) to a third party unless the proper written consent is first provided to the University. If the student, or former student, requests that records be sent to a third party such as a prospective employer, the student, or former student, should be sure that the request also complies with the requirements of a consent to release the records. Those six basic requirements are outlined above.

5. If a request is received from a third party seeking information about a student, or former student, and the University does not, at the time, have the student’s or former student’s consent to release the information to that party, the third party will be so informed.

Waivers

1. Confidential Recommendations.
   A student may elect to waive his or her right of access to, or right to review:
   a) Confidential statements such as letters of reference for admission to the University.
   b) Confidential statements or references for recommendations to be used in securing employment.
   c) Such confidential statements or letters of recommendation in regard to the receipt of an honor or honorary recognition.

2. Option to Waive Access (i.e., keep references confidential).
   The University may not require a student to waive his or her right of access to review such statements or references and the decision to waive such a right should be made according to the student’s wishes in the matter.

   Individuals giving references in regard to students are usually notified of the confidentiality or non-confidence of their statements according to whether or not the student has waived his or her right of access to such records.

4. Procedure to Waive.
   In most instances a student will be asked whether he or she wishes such
confidential statements or letters of recommendation to be confidential or non-
confidential and will be given the opportunity to elect to waive or not to waive his
or her right to review the records. If a student has a question in regard to waiver
and confidentiality of such recommendations and letters of reference, he should
contact the custodian of the records involved.

5. Confidential References Prior to January 1, 1975.
The regulations provided that all letters of references and confidential statements
provided to the Institution prior to January 1, 1975, shall remain confidential and
not subject to review by the student, or former student.

Modification of Education Records

1. Request for Change of Data.
A student seeking deletion, alteration, or modification of an educational record or
any part thereof must notify the custodian of the record specifying the record in
question and stating the specific reasons for the requested correction and the
specific objection to the record as it stands in the file. The request must specify
the remedy sought (e.g., deletion of certain items, change in wording, correction
in figures or other data).

2. Initial Determination.
The custodian will then review the request and grant or deny, in whole or in part,
the request; or, in the alternative, may first schedule a conference to discuss the
matter with the student, or former student, after which the custodian will then
render a decision. The student, or former student, will be sent notification of the
decision within two days thereafter.

3. Formal Hearing.
If all of the above procedures have been completed and the student, or former
student, has not received satisfactory relief, he or she may then request a formal
hearing.

a) Hearing Procedure
The student will have, at the formal hearing, the opportunity to present
evidence and argument to a hearing committee in support of his or her
contention that the records are inaccurate, misleading, or otherwise
inappropriate. The student, or former student, may be assisted by counsel
of his or her own choosing if so desired, may present witnesses, will be
entitled to cross examination and will have the burden of proof. The
institution may present a case in rebuttal with the same aforementioned
procedural rights.

b) Initiation of Procedure
In order for the student, or former student, to avail himself or herself of the
opportunity for a hearing to challenge the contents of a record, the student,
or former student, must submit a written appeal to the custodian of records
in question and the Vice President of Student Affairs. The sole grounds
upon which a hearing may be granted are allegations that the records are inaccurate, incorrect or otherwise inappropriate. Any of these alleged grounds must be supported by specifically named reasons or listed on the written appeal.

4. Decision
   The committee will then render a decision within five days in writing and stating its findings of fact, conclusions and a decision granting or denying the challenge in whole or in part.