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GENERAL STATEMENT OF POLICY

The Family Education rights and Privacy Act (FERPA) of 1974 requires that the University adopt and implement a policy and procedures to protect the rights that students have under the law with respect to education records maintained by the institution or by a party acting for the institution.

It is the policy of the University to protect the following student rights: to inspect and review all education records directly related to them; seek to amend education records; have some control over the disclosure of the information from their educational records; and file a complaint with the Family Policy Compliance Office, U.S. Department of Education.

The Vice President for Enrollment Management and Student Success shall be responsible for issuing and maintaining operating procedures to implement this policy.



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OPERATING PROCEDURES

For the purpose of this statement, Southeast Missouri State University has used the following definitions of terms:

Student – any person who attends or has attended Southeast Missouri State University.

Education Records – any record (in handwriting, print, tapes, film, computer, or other medium) maintained by Southeast Missouri State University or an agent to the University which is directly related to a student, except:

1. A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Records are created and maintained by the Southeast Missouri State University Department of Public Safety for law enforcement purposes.
3. An employment record of an individual, whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment and the student does not receive a grade or credit based on the student's performance as an employee.
4. Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional of paraprofessional if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Records which contain information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student.
6. Records connected with an individual's application for admission to the University prior to his or her actual attendance as an enrolled student.

Personal Identifier –

Any data or information that relates to a record to an individual. This includes the individual's name, the name of the individual's parent(s)', or other family members, the individual's address, the individual's social security number, any other number or symbol which identifies the individual, a list of the individual's personal characteristics, or any other information which would make the individual's identity known.



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Annual Notification -

Students will be notified of their FERPA rights annually by publication in the Semester Schedule of Classes. The notification will include, but not be limited to, the following:

1. The right of a student to inspect and review his or her educational record.
2. The intent of the University to limit the disclosure of information contained in a student's education record unless the student gives prior written consent, the information has been designated directory information, or the information may be disclosed under FERPA without the student's prior written consent.
3. The right of a student in relation to the amending or correcting of any part of his or her education record.
4. The right of any person to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, Washington, DC 20202-4605.

Procedure to Inspect Education Records -

Students may inspect and review their education records upon request to the appropriate records custodian. Students should submit to the records custodian or an appropriate University staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect. The records custodian or an appropriate University staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the date of receipt of the request. When a record contains information about more than one student, the student may inspect and review only the records which relate to him/her.

Limitation on Right of Access -

Southeast Missouri State University reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were maintained before January 1, 1975.



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3. Those records which are excluded from the FERPA definition of education records.

Refusal to Provide Copies -

Southeast Missouri State University reserves the right to deny copies of records, including transcripts, not required to be made available by FERPA in any of the following situations:

1. The student lives within commuting distance of Southeast Missouri State University.
2. The student has an unpaid financial obligation to the University.
3. The record is from another institution but maintained in University files, e.g. high school transcripts.
4. The record includes the educational records of other students.
5. The education record requested is an exam or set of standardized test questions.
6. There is unresolved disciplinary action or litigation against the student.

Fees for Copies of Records -

The fee for copies will be \$.10 per page plus postage costs.

Types, Locations, and Custodians of Education Records

The following is a list of the types, locations and custodians of records that Southeast Missouri State University maintains.

Types	Location	Custodian
Academic/Admissions	Academic Hall	Registrar
Business/Financial	Academic Hall	Student Financial Services
Debt Record	Academic Hall	Student Financial Services
Financial Aid	Academic Hall	Director
Health Clinic	Crisp Hall	Director
Counseling Services	Dearmont Hall	Director
Conduct	University Center	Assistant Dean
Placement	University Center	Director
Residence Life	Dearmont Hall	Director



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Public Safety	Dearmont Hall	Director
Veterans	Academic Hall	Registrar

Some Records are also maintained within Colleges:

Types	Locations	Custodian
Business	Dempster Hall	Dean of the College
Education	Scully Building	Dean of the College
Health & Human Services	Crisp Hall	Dean of the College
Liberal Arts	River Campus	Dean of the College
Science & Technology	Rhodes Hall	Dean of the College
School of Graduate Studies	Memorial Hall	Dean of the School
School of Polytechnic Studies	Polytechnic Building	Dean of the School
School of Visual Arts	River Campus	Dean of the School
Occasional Records (Student education records not included in the types listed above such as minutes of faculty committee meetings, copies of correspondence in offices not listed, etc.)	The University staff person who maintains such occasional systems records.	The appropriate official will collect such records, direct the student to their location or otherwise make them available for review.

Disclosure of Educational Records -

Southeast Missouri State University will disclose information from a student's education records only with the written consent of the student, which must be dated and signed, except that records may be disclosed without consent when the disclosure is one or more of the following:

1. To school officials who have a legitimate educational interest in the records.

A school official is:

- A person employed by the University in an administrative, supervisory, academic or research, or support staff position, including health or medical staff.
- A person appointed as voting member of the Board of Regents.



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- A person employed by or under contract to the University to perform a special task, such as the attorney or auditor.
- A person who is employed by Southeast Missouri State University Department of Public Safety.
- A student serving on an official committee, such as a disciplinary grievance committee, or who is assisting another school official in performing his or her tasks.

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 contract agreement.
 - Performing a task related to a student's education.
 - Performing a task related to the discipline of a student.
 - Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
 - Maintaining the safety and security of the campus.
2. Upon student request, to officials of another school in which a student seeks or intends to enroll.
 3. To certain officials of the U.S. Department of Education, the Comptroller General, and State and local educational authorities, in connection with audit or evaluation of certain State or federally supported education programs.
 4. In connection with a student's request for or receipt of financial aid to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
 5. To State and local officials or authorities if specifically required by a State law that was adopted before November 19, 1974.
 6. To organizations conducting certain studies for or on behalf of the University.
 7. To accrediting organizations to carry out their functions.



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8. To parent, guardian or other custodian of an eligible student who is claimed as a dependent for income tax purposes. The burden of establishing dependency shall be upon the parent, guardian or custodian requesting access to the record.
9. To comply with a judicial order or a lawfully issued subpoena. The person served with a subpoena will attempt to notify the student of the receipt of the subpoena the information being requested, and that the institution intends to comply on a particular date (realistically ten days from the date the subpoena is received). The notice to the student will be sent to the address listed on file in the Registrar's Office.
10. To appropriate parties in a health or safety emergency.
11. To individuals requesting directory information so designated by the University.
12. The results of any disciplinary proceeding conducted by the University against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

The University will not release information contained in a student's educational record, except directory information, to any third parties except its own officials, unless those parties agree that they will not redisclose the information without the student's prior written consent.

Directory Information -

Southeast Missouri State University designates the following items as Directory Information: student name, home and campus address and phone number, email address, major field of study, attendance dates, full or part time enrollment status, number of hours enrolled in a semester, date and place of birth, degrees and awards received, most recent previous educational agency or institution attended, participation in officially recognized activities and sports and, for members of athletic teams, their weight, height, and previous high school and college participation. The University may disclose any of those items without prior written consent, unless notified in writing to the contrary by 5:00 p.m. on Wednesday of the second week of classes. Forms are available in the Office of Student Development, UC422 and the Registrar's Office, AC129.

The University will attempt to honor written objections not filed in accordance with the deadline noted above, but in such instances will not be responsible for the inadvertent release of information designated by the University as directory information by an agent who is not aware of the student's objection to that release.



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Record of Requests for Disclosure -

Southeast Missouri State University will maintain a record in the student's file of all requests for and/or disclosures of information from a student's education records with the following exceptions: If the request was made by or disclosure was made to 1) the eligible student, 2) a school official who has been determined to have a legitimate educational interest, 3) a party with written consent from the eligible student, or 4) a party seeking directory information only.

A record will be maintained in the student's file for 1) disclosure to the parent (either custodial or noncustodial) of an eligible student, 2) disclosure in response to a lawfully issued court order or subpoena, 3) disclosure for external research purposes where individual students have been identified, or 4) disclosure in response to an emergency. These records must be maintained with the education records of the student as long as the records are maintained by the institution. The record will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information.

Correction of Education Records -

Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

1. A request to amend a record must be made in writing, signed and dated by the student, to the appropriate records custodian. In so doing, the student should identify the part of the record to be amended and specify why the student believes it is inaccurate, misleading, or in violation of his or her privacy rights. This procedure may not be used to request to change or challenge the grade an instructor assigns for a course.
2. Southeast Missouri State University may comply with the request or it may decide not to comply. If it decides not to comply, Southeast Missouri State University will notify the student of the decision and advise the student of his or her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.
3. Upon request, Southeast Missouri State University will arrange for a hearing, and notify the student, reasonably in advance, of the date, place, and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's educational



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records. The student may be assisted by one or more individuals, including an attorney at the student's own cost.

5. Southeast Missouri State University will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If Southeast Missouri State University decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.
7. If Southeast Missouri State University decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
8. The statement will be maintained a part of the student's education records as long as the contested portion is maintained. If Southeast Missouri State University discloses the contested portion of the record, it must also disclose the statement.