

## BELLARMINE UNIVERSITY STUDENT RECORDS POLICY

The text below is taken from the *Bellarmino University Policies and Procedures Manual*, Chapter 5, Student Related Policies and Procedures. The full Manual is housed in the Office of the Vice President for Administration and Finance and can be obtained by contacting that office directly. Students wishing to request non-disclosure of directory information must do so by appointment with the University's head Registrar.

### 5.4 **STUDENT RECORDS** (c.f., 4.1.5)

#### 5.4.1 **The Family Educational Rights and Privacy Act of 1974**

This act is a Federal law which states (a) that a written institutional policy must be established, and (b) that a statement of adopted procedures covering the privacy rights of students be made available. The law provides that the institution will maintain the confidentiality of student education records.

#### 5.4.2 **General Guidelines**

Bellarmino University accords all the rights under the law to students who are declared independent. No one outside the institution shall have access to nor will the institution disclose any information from students' records without the written consent of students, except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

Within the Bellarmine University community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include personnel in the offices of Admission, Financial Aid, Registrar, the Academic Deans, the Controller, Student Services, Counseling and Career Placement Services, and academic personnel within their need to know.

At its discretion, the institution may provide student "directory information" in accordance with the provisions of the Act to include: student name, address and email address, telephone number, photograph, date and place of birth, declared majors and minors, dates of attendance, class standing (freshman, sophomore, junior, senior), degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Students may withhold personal data information by notifying the office of the Registrar within two weeks after the first day of class for the term.

Request for non-disclosure will be honored by the institution for **only one** academic year; therefore, authorization to withhold personal data information must be filed annually in the office of the Registrar.

*Distribution of Grades* -- Final course grades are routinely distributed by the Registrar's office within one week of the last date for final exams.

The *Privacy Act of 1974* prevents the public posting of grades and would expose both the faculty member and Bellarmine to possible litigation. Therefore, it is the policy of Bellarmine that grades should not be posted by name, by social security number, or otherwise. If grades are posted, the individual faculty member does so contrary to policy and increases his/her exposure to litigation.

Revised: May 1985  
Amended, President's Staff, July 1985  
Revised: February 1998  
Revised: July 2007

#### 5.4.3 **Students' Right to Inspect Records**

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panels to be unacceptable. The Registrar has been designated by the institution to coordinate the inspection and review procedures for student education records. Students wishing to review their education records must make written requests to the Registrar, listing the item or items of interest. Only records covered by the Act will be made available within 45 days of the request. Students may have copies made of their records with certain exceptions, (e.g. a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere). These copies would be made at the student's expense at prevailing rates which are listed in the current Catalog.

Revised: May 1985  
Revised: February 1998  
Revised: July 2007

#### 5.4.4 **Exclusions**

Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, records of the law enforcement unit, student health records, employment records or alumni records. Health records, however, may be reviewed by physicians of the student's choosing.

Students **may not** inspect and review the following as outlined by the Act: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access **only** to that part of the record which pertains to the inquiring student.

Revised: July 2007

#### 5.4.5 **Procedure to Challenge Records**

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights may discuss their problems informally with the Registrar. If the decisions are in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended, and they will be informed by the Registrar of their right to a formal hearing. Student requests for a formal hearing must be made in writing to

the Vice President for Student Affairs who, within 45 days after receiving such requests, will inform students of the date, place, and the time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the students' expense. The hearing panel which will adjudicate such challenges will be appointed by the Vice President for Student Affairs.

Decisions of the hearing panel will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panel, if the decisions are in favor of the students. If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair, or not in keeping with the provisions of the Act may request in writing, assistance from the President of the institution. Further, students who believe that their rights have been abridged, may file complaints with The Family Educational Rights and Privacy Act office (FERPA), Department of Health, Education, and Welfare, Washington, D.C. 20201, concerning the alleged failures of the institution to comply with the Act.

Revised: May 1985  
Revised: February 1998

#### 5.4.6 **Educational Records**

Bellarmine University maintains the following educational records on its students:

##### 5.4.6.1 Academic

1. The application for admissions folder contains all or part of the following items: identifying data, high school transcript, entrance exam scores, college transcript, transfer credit evaluation, letters of recommendation, relevant correspondence, certifications for VA, etc.
2. If the student formally enrolls, the application file becomes his or her active student academic file. It may contain all or part of the following kinds of information:

Legal Name  
Social Security Number  
Date/place of birth  
Sex  
Race  
Citizenship (country)  
Home address and telephone number  
Residency  
Parents' or guardian's name, address & telephone number  
Local address & telephone number  
Application for admission

High school transcript  
Bellarmine academic record  
Transcripts from other colleges & universities  
Academic division & concentration, student classification  
ACT or SAT scores  
Academic actions (academic probation, suspension, dismissal)  
Results of academic petitions  
Past & current registrations  
Marital status  
Transcript evaluations  
Correspondence related to the student's academic record

3. For transcript of credits, an official academic transcript is maintained. The official academic transcript contains identifying data, grades and points, and degree(s) granted.

Ordinarily, access to these records is limited to the staffs of the Admission's and Registrar's offices, the Undergraduate Admissions Committee, and qualified faculty and administrators for the purpose of counseling. A transcript of credits may be obtained by the student for \$5.00. Copies of other documents to which the student has legal access are available to the student at prevailing copy rates.

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Revised: February 1998  
Revised: July 2007

#### 5.4.6.2 **Financial Aid**

1. Free Application for Federal Student Aid (FAFSA), which serves as the application and output document for the Department of Education, certifying eligibility for federal and state financial assistance.
2. All documents relating to a student's eligibility and receipt of all sources of financial assistance, to include, but not be limited to: federal, state, and institutional resources.
3. The amount and type of financial aid awarded to a student for the current academic year.

The above records are under the control of the Director of Financial Aid. Ordinarily, access to these records is granted to the staff of the Financial Aid office for purposes of granting awards of aid.

4. Federal Perkins Loan file containing notes and repayment schedules. These records are under the control of the Controller of the university. They are maintained for the purpose of collections, and the accounting office staff of the Business Office and certified auditors have access to them.

Revised May 1985  
Revised: February 1998  
Revised: July 2007

#### 5.4.6.3 **Career Services**

The Career Center maintains counseling notes from individual appointments related to career planning, employment skill preparation, and job search. Personal data as appears on resumes is used to assist students in gaining professional employment opportunities and is not released without the students' permission. Credential files are maintained indefinitely for education majors in coordination with the School of Education. Authorization to Release Records Forms are completed by all Education majors as a part of the credential file. Career Services ensures that records are maintained following prevailing ethical and legal guidelines. Career Services adheres to the spirit and intent of equal opportunity laws in all activities.

Revised: February 1998  
Revised: February 2007

#### 5.4.6.4 **Counseling**

The University counselor will keep private notes on conferences with students who request his/her services. These notes are considered confidential in nature and are not made available to any other person. However, the student may direct, in writing, that a doctor or other professional of his/her choice be allowed to inspect these records. The counselor will not maintain notes beyond ten years. Counseling files are under the control of the Director of the Counseling Center.

Revised: February 1998  
Revised: February 2007

#### 5.4.6.5 **Student Activities**

The records of a student's non-academic activities at the University will follow the same general principles and procedures as hold for academic records.

These records are kept for internal purposes only, except when written permission for their dissemination to a specific party is rendered by the student. Internal purposes include consideration for honors, awards, scholarships, or legitimate research purposes and the operational data needs of the university.

Records of recognized student organization membership service activities will be maintained for a period of not more than five years after termination of student status.

The Director of Student Activities shall make provision for storage and retrieval of student activity information for research purposes.

All student activity records are under the control of the Director of Student Activities.

Revised: May 1985  
Revised: February 1998  
Revised: February 2007

#### 5.4.6.6 **Non-academic Disciplinary Action**

Disciplinary action taken by administrative action or by the Dean of Students shall be recorded in the office of the Dean of Students and will be retained no longer than five years after the termination of student status. However, records of serious non-academic disciplinary action may be retained longer and shall be secured with strict confidentiality and access granted only on permission of the Dean of Students. They shall be preserved only against the eventuality of legal action taken against the University or its authorized personnel. These records will be destroyed when no longer needed under the appropriate Statute of Limitations provisions. No record of non-academic disciplinary action shall be placed in a student's current folder nor recorded on his/her permanent record. No other records are to be kept (political beliefs, civic organizations, philosophical positions, etc.).

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Revised: February 1998  
Revised: February 2007

#### 5.4.6.7 **Health Records**

Health records are initiated to promote documentation of compliance with current campus policy. All health information is confidential. The release of any information requires written consent by the students. The records are maintained in the Health Services Office and are under the control of the Director of Health Services. Students may retrieve their health records upon termination of student status. Student's health records are destroyed one year after the student leaves the University.

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Revised: February 2007

#### 5.4.6.8 **Resident Student Records**

Information/data about resident students maintained in the Residence Life office is under the control of the Director of Residence Life. Housing records on individual students shall be destroyed five years after termination of resident status.

Revised: February 1998

#### 5.4.6.9 **Residence Hall Disciplinary Records**

Disciplinary actions taken in a residence hall shall be on file in the Residence Life office. The record of action shall be destroyed five years after date of last incident.

Revised: February 1998

#### 5.4.7 **Disclosure In Particular Cases**

##### 5.4.7.1 **Disclosure to Government Agencies**

1. Properly identified representatives from federal, state or local government agencies may be given the following information if expressly requested:
  - a. Verification of date and place of birth;
  - b. School or division of enrollment and class;
  - c. Date of enrollment;
  - d. Degree(s) earned, if any, date, major or field of concentration, and honors received;
  - e. Home and local addresses and telephone numbers (if not unlisted);
2. Concerning release of further information, it should be noted that government investigative agencies as such have no inherent legal right to access to student files and records. When additional information is requested, it may be released only on written authorization from the student. If such authorization is not given, the information should be released only on court-order or subpoena. If a subpoena is served, the student whose record is being subpoenaed should be notified and that subpoena should be referred to the institution's legal counsel.

##### 5.4.7.2 **Disclosure in Response to Telephone Inquiries**

1. Only those items determined by the University to be matters of public record shall be released in response to telephone inquiries. Such items include only:
  - a. Whether or not the student is currently enrolled;
  - b. The school or division in which he/she is or was enrolled and his/her class;
  - c. Dates of enrollment;
  - d. Degree(s) earned, if any, date, major or field of concentration, and honors received.
2. Release of addresses or telephone numbers shall be consistent with institutional policy governing distribution of student directories.

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##### 5.4.7.3 **Emergency**

Urgent requests for student information, e.g. address, telephone number, or immediate whereabouts, based upon an apparent emergency, should be handled when possible by the Student Affairs office.

The University may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons. This is to be strictly interpreted.

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Revised: February 2007

#### 5.4.7.4 **International Student Records**

The Primary Designated School Official (PDSO)/International Student Counselor in the Division of Student Affairs at Bellarmine University maintains all Student and Exchange Visitor System (SEVIS) records of non-immigrant international students holding an F-1 visa. The PDSO updates records at least once each semester through the SEVIS Real-Time-Interface (RTI). The PDSO also provides additional reports as requested by the United States Customs and Immigration Service (USCIS). Information is not to be provided to the USCIS without the knowledge of, and facilitation by, the PDSO. Bellarmine is not compelled to volunteer information to USCIS (or any other department governing international students) apart from what is specifically requested by USCIS.

The PDSO maintains copies of any official USCIS or Department of State (DOS) paperwork and correspondence, including all copies of the Form I-20, for degree-seeking and bilateral exchange students. The Director of the International Programs Office (IPO) maintains records for exchange students through the International Student Exchange Program (ISEP), including the Form DS-2019 for non-immigrant students holding the J-1 visa. The PDSO also keeps on file records of students with other types of non-immigrant visa as informed by Admissions.

The International Student Counselor audits the number of credit hours each semester to ensure non-immigrant students are in compliance with immigration requirements. Approved periods of employment and reductions in course load are noted in the SEVIS record. Non-immigrant international student records are kept indefinitely.

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Revised: February 2007

#### 5.4.7.6 **Reports to Parents of Disciplinary Actions**

Notice of a disciplinary action may be sent to the parent(s) when deemed appropriate by the Dean of Students or may be sent to parents of students who have been declared dependents on their parents last federal income tax return. (cf. Internal Revenue Code of 1954, Section 152)

Approved 4-24-78

Revised: February 1998

Revised: February 2007

#### 5.4.8 **Revisions and Clarifications**

Revisions and clarifications of Student Record policy and procedure will be published as experience with the law and university policy warrant.

Approved President's Staff 3-14-77

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