

Oklahoma Wesleyan University

Student Records Policy: Graduate and Undergraduate

Approved by:		
History:	Issued	2/14/2011
	Revised	
Additional References:	Additional information is available at AACRAO (Compliance), www.aacrao.org/compliance/ferpa/ or Family Compliance Office of the Department of Education, www.ed.gov/policy/gen/guid/fpco/ .	
Responsible Official:	University Registrar (918) 335-6842	

I. Introduction

Oklahoma Wesleyan University recognizes that the protection of the rights of persons requires adherence to clearly formulated institutional policies governing the maintenance of student records. As provided more fully below, the privacy and confidentiality of all student records shall be preserved. Officers of administration, members of the faculty and staff of the university are morally bound to respect the rights of a student to good reputation and privacy by holding in confidence information they acquire in the course of their work.

II. Definitions

A. A student: any person who attends or has attended the university.

B. Education records: any records (in handwriting, print, tapes, film, computer or other medium) maintained by Oklahoma Wesleyan University or an agent of the university which are directly related to a student except:

1. A personal record kept by a faculty or staff member if it is kept in the sole possession of the maker of the record, is not accessible or revealed to any other person except a temporary substitute for the maker of the record and is not used for purposes other than a memory or reference tool.
2. Records created and maintained by Oklahoma Wesleyan University law enforcement unit 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.
4. Records made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni 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.

III. Federal Student Records Law

Annually, Oklahoma Wesleyan University informs students of the Family Educational Rights and Privacy Act (FERPA) of 1974. (20 U.S.C. 1232g and 34 C.F.R., 99.1-99.67) This act, with which the institution endeavors to fully comply, was designed to protect the privacy of educational records, and to establish the right of students to inspect and review their non-privileged educational records. The act also provides guidelines for the correction of

inaccurate or misleading data through informal and formal hearings. Students have the right to file complaints with the Family Policy Compliance Office, U.S. Department of Education, concerning alleged failures by the institution to comply with the act. An informal complaint may be filed within the institution by contacting the Registrar. This university policy statement explains in detail the procedures to be used by the institution for compliance with the provisions of the act. Questions concerning the Family Educational Rights and Privacy Act may be referred to the Office of the Registrar or the University attorney.

IV. University Maintained Student Records

The student records maintained by the university are classified as follows:

1. Official academic records are maintained in the Office of the Registrar. They include admission applications and associated documentation; the registration records for each semester in residence; the records of grades and credits received in courses at this university or accepted here from another institution; and other documents directly relating to academic progress and status. The dean of each school is the custodian of records for all school and departmental records regarding students that are not kept in the registrar's office.
2. Disciplinary records are maintained under the authority of the vice president for student life. They include information about the investigation, adjudication and imposition of sanctions by the university against a student for breach of the university's code of student conduct or other written policies.
3. Financial records are maintained by the Student Accounts Office.
4. Financial aid application records, including tax forms, are maintained by the Financial Aid Office.
5. Employment records of students receiving financial aid consist of work-study authorizations and are maintained by the Financial Aid Office. Non-workstudy employment records of students are maintained by the Office of Human Resources.
6. Medical, psychological and counseling records are maintained under the authority of the vice president for student life in the Office of the Campus Nurse. They include records of examinations and treatments.
7. The student records maintained at the student's request by Student Academic Services are treated separately below.

Student educational records maintained on the OKWU PowerCampus Student Information System and associated online access systems, such as Self Service and WebAccess, or online classrooms, such as Angel Learning, etc., are fully covered by this policy. Users of the OKWU Student Information System, such as those mentioned above, are considered custodians of those student records to which they have access. Records should not be accessed by the user unless a legitimate educational interest exists or some other provision of the policy authorizing release applies.

No record shall be kept of the political views of students or of student membership in any organization other than academic, honorary, professional and social organizations directly related to university life. Records maintained by student organizations are not considered university records, but such organizations are expected to protect students from unwarranted invasions of privacy and to permit them to have access to their records.

Records of students who are ministerial candidates and which are maintained by the Dean of the School of Religion shall be communicated solely to the proper ecclesiastical ordinary and with the written express consent of the student.

V. Student Access to Records

Access to a student's official academic record, disciplinary record and financial aid record is guaranteed to him or her subject only to reasonable regulation as to time, place and supervision (1970, III, A) with the following exceptions:

1. Any and all documents written or solicited prior to Jan. 1, 1975, on the presumption that they were intended to remain confidential and privileged.
2. Any and all documents to which access has been waived by the student.
3. Any and all records which are excluded from the FERPA definition of educational records.

4. Any and all financial data and income tax forms submitted in confidence by the student's parents in connection with an application for, or receipt of, financial aid.
5. Any and all records connected with an application to attend Oklahoma Wesleyan University, or a component unit of Oklahoma Wesleyan University if that application was denied, or accepted and the applicant never enrolled. FERPA rights are provided only to applicants upon actual acceptance and subsequent enrollment.
6. Those records which contain information on more than one student. The requesting student has the right to view only those portions of the record which pertain to his or her own educational records. Since documents written or solicited after Jan. 1, 1975, may be kept confidential only if the student has waived access thereto in writing, a form of waiver shall be provided for the voluntary use of applicants in their request for recommendations. Any recommendation submitted under condition of confidentiality but without written waiver of access by the applicant shall be returned to the sender. The placement records maintained by Student Academic Services may be inspected by the subject of the file, with the exception of recommendations or evaluations which have been received with the student's written waiver of access.

Student inspection of records is granted only upon written request, presented in person with appropriate identification, and must be made in the presence of designated personnel of the office maintaining the records. All requests shall be granted as soon as practicable, but in no event later than 45 days after the date of request. No documents or files may be altered or removed once a request has been filed.

A student may receive a copy of any and all records to which he or she has lawful access, upon payment of a nominal fee (processing and mailing expense), except when a hold has been placed on his or her record pending the payment of debts owed the university, or when he or she requests a copy of a transcript, the original of which is held elsewhere.

VI. Challenge Hearings

If, upon inspection and review of his or her record, the student believes that the record is inaccurate, misleading or otherwise in violation of his or her privacy rights, he or she may ask that the record be changed or may insert a statement in the file. Any disagreement should be resolved informally, if possible.

Only the registrar, upon consultation with the respective dean, may authorize a correction in a record within the academic file of a student. Similar responsibility is exercised by the vice president for student life, the dean of admissions and financial aid, the respective departmental deans and the director of personnel for the records which are maintained under their authority.

Should the request for a change be denied the student will be notified of the university's decision and advised of the right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's privacy rights. The student has 30 days to appeal the decision to the provost and ask for a hearing. On behalf of the president of the university, the provost shall refer the appeal to an existing committee or designate a hearing committee. The latter will include one officer of administration other than the one who has denied the request, two faculty members and two students. Oklahoma Wesleyan University will notify the student, reasonably in advance, of the date, place and time of the hearing. 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 education records. The student may be assisted by one or more individuals, including an attorney. The 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. The decision of the hearing committee shall be final, except that administrative recourse to the president of the university always remains open.

If the 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. The challenge to be considered in such hearing may extend only to the material in the respective university file; it may extend to the correct recording of a grade but not to the appropriateness of the grade. If the 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 of the right to place in the record a statement commenting on the challenged information and a statement setting forth reasons for disagreeing with the decision. Such a statement shall become a part of the information contained in the education record and will be disclosed with it.

VII. Student Academic Service and Career Services

The file of a student maintained in Student Academic Services is assembled at the initiative of the student. The extent of disclosure to prospective employers, graduate schools, organizations awarding fellowships and the like shall be made clear to the student when he or she requests that the file be assembled and shall be agreed to by him or her.

The student may make a specific waiver of access to evaluations solicited and/or received under condition of confidentiality, but the waiver must be made by the student without pressure or coercion. Any evaluation received under such condition of confidentiality without the student's waiver of access or without the student's knowledge shall not be incorporated in the file but shall be returned to the sender.

VIII. Addition to Records

No entry may be made on a student's official records and no document or entry may be placed in such records without written notice to the student by the responsible administrative officials mentioned above.

Notification of grades, written communication to a student of school or departmental evaluation and announcement of honors, however, constitute adequate notice. A document or entry supplied by or at the request of the student may be placed in the student's record without additional notice to him/her. In the case of student records maintained in deans' offices and departmental offices, additions other than those mentioned in the preceding paragraph require the permission of the registrar, who is responsible for notification of the student.

IX. Release of Information

Oklahoma Wesleyan University will disclose information from a student's education records only with the written consent of the student, except that the records may be disclosed without consent when the disclosure is:

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 elected to the Board of Trustees.
 - A person or entity employed by or under contract to the university to perform a special task, such as an attorney, auditor, or outside vendor.
 - A person who is employed as security personnel by the Oklahoma Wesleyan University.
 - A student serving on an official committee, such as a disciplinary or 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.

The determination as to whether or not a legitimate educational interest exists will be made by the custodian of the records on a case-by-case basis. When the custodian has any question regarding the request, the custodian should withhold disclosure unless the custodian obtains consent from the student, or the concurrence of a supervisor or other appropriate official that the record may be released.

2. To officials of another school, upon request, in which a student seeks or intends to enroll. The student shall receive notification of the disclosure unless the student initiated the disclosure.
3. Subject to the conditions set forth in 34 CFR 99.35 authorized representatives of the Comptroller General of the United States, the Secretary of the U.S. Department of Education, authorized representatives of the attorney general for law enforcement purposes (investigation or enforcement of federal legal requirements of federally supported education programs), or state and local educational authorities.
4. To school officials or lending institutions, in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - determine eligibility for the aid;
 - determine amount of the aid;
 - determine conditions for the aid; or
 - enforce terms and conditions of the aid.
5. To state and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to the state statute adopted prior to Nov. 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released; or information that is allowed to be reported pursuant to a state statute adopted after 1974, which concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released. Nothing in this paragraph shall prevent the state from further limiting the number or type of state or local officials who will continue to have access thereunder.
6. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
7. To accrediting organizations in order to carry out their accrediting functions.
8. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954. The parents must provide a copy of their most recent federal income tax return establishing the student's dependency. Full rights under the act shall be given to either parent, unless the institution has been provided with evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes those rights. OKWU does not have an obligation to disclose any financial information about one parent to another. If a parent claims a student as a dependent and does not want his/her financial information disclosed to his/her spouse or former spouse, the parent may make that request to the institution.
9. In connection with an emergency, appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or others.
10. To comply with a judicial order or lawfully issued subpoena, provided the university makes a reasonable effort to notify the student of the order or subpoena in advance of compliance. Notification may be prohibited if the university receives a federal grand jury subpoena or any other subpoena which states that the student should not be notified. The University attorney shall be consulted prior to release of the record. See below for further details on the university's policy in dealing with subpoenas.
11. To an alleged victim of any crime of violence as that term is defined in Section 16 of Title 18, United States Code, or a non-forcible sex offense, the final results of any disciplinary proceeding conducted by an institution of postsecondary education against the alleged perpetrator of that crime or offense with respect to that crime or offense. The University attorney shall be consulted prior to release of the record.
12. To Veterans Administration Officials pursuant to 38 USC 3690 (c).

13. Information the university has designated as "directory information," unless a hold has been placed upon release of the information by the student.

The following data is considered to be directory information and may be given to an inquirer, either in person, by mail or by telephone, and may be otherwise made public: name of student, address (both local, including e-mail address and permanent), telephone number (both local and permanent), photograph, dates of registered attendance, enrollment status (e.g. full-time or part-time), school or division of enrollment, major field of study, nature and dates of degrees and awards received, participation in officially recognized activities and sports, and weight and height of members of athletic teams.

The policy that such information will be made generally available will be communicated to presently enrolled students through the publication of these guidelines. An individual student currently enrolled may request that such directory information not be disclosed by completing the nondisclosure form and giving the form to the registrar prior to the last day to register or add courses for credit.

14. To the court those records that are necessary to defend the institution when a student initiates legal action against the institution. A transcript of a student's official academic record contains information about his or her academic attainment and status exclusively. Only the registrar is authorized to issue transcripts or to certify in any way the official academic record of a student. An official transcript is issued only when requested by the student in writing.

Faxed requests for transcripts that contain the requesting student's authentic signature will be honored.

Where a student has not approved a release of information, copies of transcripts, like other record information, may be issued to parents of a student only when financial dependency of the student on the parent, as that phrase is defined in the Internal Revenue Code, has been proven. Copies may also be issued with the written consent of the student as indicated upon his or her registration form or application for financial aid, to persons or agencies financially responsible for a student's tuition, such as the ordinary of a diocese, the superior of a religious institute, a governmental agency or a scholarship fund.

In general, information from disciplinary records, as defined above, shall not be made available to persons on or off campus, without the express consent of the nondependent student involved. A number of exceptions exist. Disciplinary records may be released without the student's permission:

1. to superiors of the vice president for student life
2. pursuant to legal process as defined herein, or
3. to OKWU school officials or to school officials at other institutions who have been determined to have a legitimate educational interest in the behavior of the student, when the education records contain information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students or members of the school community.

In addition to those instances noted above, the university has the discretion to disclose the final results of any disciplinary proceeding conducted by the university against a student who is an alleged perpetrator of any crime of violence (as that term is defined in Section 16 of Title 18, United States Code) or a non-forcible sex offense if the university determines as a result of the disciplinary proceeding that the student committed a violation of the university's rules or policies with respect to such crime or offense.

For the purpose of disclosure under this paragraph, the final results of any disciplinary proceeding shall include only the name of the student, the violation committed and any sanction imposed by the institution on that student and may include the name of any other student, such as a victim or witness, only with the written consent of that other student. The university also has the discretion to disclose to any parent or legal guardian of a student under the age of 21 information about a violation of any federal state or local law, or any rule or policy of the institution governing the use or possession of alcohol or a controlled substance if the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

The disciplinary record of a student shall be destroyed within five years after graduation or permanent withdrawal from the university. Information from financial aid and employment records, as defined above, shall not be made available to anyone without the prior express written consent of the student involved except to confirm employment or to supply appropriate references to subsequent employers upon request of the student. Any and all financial data and income tax forms submitted in confidence by the student's parents shall not be released without their prior express written consent.

Medical, psychological and counseling records, as defined in Section II.B.4 above, are governed by the strictest canons of professional conduct and confidentiality. Information from these records shall not be made available to anyone other than the persons providing the medical, psychological and counseling treatment except that they can be reviewed by a physician or other appropriate professional of a student's choice. Nothing in this provision is intended to deny a student the right to inspect medical, counseling or psychological records as provided under D.C. or federal law.

Persons from outside the academic community shall not be permitted personal access to a student's records or greater information than provided herein or in the Act without the prior express written consent of the student or unless subpoena, judicial order or other legal process is served on the university, or unless release is pursuant to the disciplinary exception stated above. The university will comply with such process only upon the advice of counsel. To fully protect the confidentiality of student records, upon receipt of a subpoena the University attorney will evaluate the validity of the subpoena, and in the case of a subpoena which can be disclosed to a student, the University attorney will inform the student of the subpoena and give the student an opportunity to resist the subpoena.

Personal information shall be transferred to a third party only on the condition that such a party will not permit any other party to have access to such information without the written consent of the student. In all instances where written consent is required, written consent must specify the records that may be disclosed, state the purpose of the disclosure and identify the parties or class of parties to whom disclosure may be made.

Any member of the faculty or staff sending an email to more than one person, which contains an education record (as defined in this policy) or other covered data (as defined in the Information Assurance Policy), should use one of the following four options:

1. A university created email or listserv. Assistance with creating a university email or listserv can be obtained from the Director of Computer Services.
2. The notify function in PowerCampus, Self Service/WebAccess or Angel Learning.
3. Individual email messages to each recipient rather than a single message to multiple recipients.
4. A blind cc. This can be done by sending the message to yourself, then copying yourself, and blind copying the recipients. If the blind cc field does not appear, please contact the HELP desk for assistance.

In view of the risk, through inadvertence, that the blind cc (bcc) function be employed incorrectly, the fourth option should not be used where highly sensitive data is contained in the email, such as financial information, social security numbers, grades, disability status, date of birth and similar critical personal information.

X. Record-keeping Requirements

Oklahoma Wesleyan University will maintain a record of requests for and/or disclosures of information from a student's education records. The record will indicate the name of the party making the request and what records, if any, were received, the legitimate interest in the records, any additional party to whom it may be disclosed, and the legitimate interest the additional party had in requesting or obtaining the information. The record may be reviewed by the student. This recordkeeping is not required if the request was from, or the disclosure was to:

1. the student;
2. a school official determined to have a legitimate educational interest;

3. a party with written consent from the student;
4. a party seeking directory information; or
5. a federal grand jury or law enforcement agency pursuant to a subpoena that by its terms requires nondisclosure.

XI. Information about This Policy as Noted Above

The Executive Vice President, the Registrar, and the University Attorney will maintain general information concerning the federal law and the university's policy as contained in these guidelines. The Registrar will refer students desirous of examining their records to the office of the appropriate administrative official. At the present time, the following are the administrative officials concerned:

Provost: Dr. Robert Herron

University Registrar: Cindy Riffe

Vice President for Student Life: Kyle White

Director of Business Affairs: Andrea Zepeda

Director of Human Resources: Jessica Morrow

Director of Financial Aid: Kandi Molder

Questions regarding this policy, student record privacy issues, and student information disclosure should be directed to the Cindy Riffe, Registrar, criffe@okwu.edu. Additional information is available at AACRAO (Compliance), www.aacrao.org/compliance/ferpa/ or Family Compliance Office of the Department of Education, www.ed.gov/policy/gen/guid/fpc/.