

**MORGAN STATE UNIVERSITY
POLICY ON DISCLOSURE OF STUDENT RECORDS**

I. CONTENTS AND NOTICE OF POLICY

It is the policy of Morgan State University to comply with the Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment, concerning the disclosure of student records. This Policy outlines the rights of students and procedures by which students may obtain access to education records. A copy of this Policy shall be provided annually to each current student with registration materials.

II. DEFINITIONS

- A. "Disclosure" means permitting access or the release, transfer, or other communication of education records of the student or the personally identifiable information contained therein, orally or in writing, or by electronic means or by an other means to any party.
- B. "Education records" means any record (in handwriting, print, tape, film, microfilm, or other medium) maintained by the University that is directly related to a student, **except:**
- (1) a record that is made by University faculty or administrators for their own use, which is not accessible or revealed to others;
 - (2) an employment record that relates exclusively to an individual in that individual's capacity as an employee and is not available for use for any other purpose. However, if a currently enrolled student is employed as a result of the individual's status as a student, records relating to that employment are education records.
 - (3) a record maintained by the University Police solely for law enforcement purposes that is kept separately from the education records described above;
 - (4) a record maintained by health care professionals acting in his/her capacity that is used only for treatment purposes and made available to those persons providing the treatment; or
 - (5) a record that contains only information about the activities of a former student after the individual no longer attends the University and that does not relate to the individual as a student.
- C. "Personally identifiable information" means a student's name, a name of a student's

parent or family member, and address of a student or a student's family, a personal identifier, such as a social security number or student number, a list of personal characteristics or any information that would make a student's identity traceable.

- D. "Student" means an individual who attends or has attended Morgan State University and on whom education records are maintained.

III. RIGHT OF ACCESS

A. Right of Access

A particular student has a right to inspect and review the student's own education records. When a record contains information about more than one student, a particular student may inspect and review only the records that relate to that particular student.

B. Limitations

The University will not allow a student access to:

- (1) the financial statement of the student's parents;
- (2) records connected with an application for admission to the University that was denied;
- (3) confidential letters of recommendation placed in the student's file before January 1, 1975, that were solicited with an assurance of confidentiality and are used only for the intended purpose, or letters and statements of recommendation for which the student has executed a waiver of access; or
- (4) records excluded from the definition of education records under Section II of this Policy or under federal law or regulation.

C. Procedure

(1) Request Required

To access education records, a student shall submit a written request to the Registrar, Office of Records and Registration, Montebello Complex, A Wing, Morgan State University, Cold Spring Lane and Hillen Road, Baltimore, Maryland 21251.

(2) Form of Request

Each request for access to education records must contain the student's signature, include the student's social security number, and identify as precisely as possible the record or records the student wishes to inspect.

(3) University Response

The University will arrange for access as promptly as possible and notify the student of the time and place where the records may be inspected. The student will be given access to the record within 45 days from the receipt of the request. In the usual case, arrangements will be made for a student to read the student's records in the presence of a staff member.

(4) Reproduction of Records

A student ordinarily may obtain copies of the student's records by paying reproduction costs. The fee for photocopies is \$.25 per page and there is no charge for the search and retrieval of the records. No copies of any transcripts in the student's records other than the student's current University transcript will be provided. Official University transcripts with the Morgan State University seal will be provided at a higher cost.

A student who has an unpaid financial obligation to the University may not obtain a copy of the student's transcript or records concerning the student that are not education records.

D. Types and Locations of Education Records Maintained at the University

The following is a list of the types of records that the University maintains, their locations, and their custodians. Please note that all requests for access to records should comply with the requirements of Section III-C(1) and (2) of this Policy and must be initiated through the Office of Records and Registration.

(1) Admissions Records: Applications and transcripts from institutions previously attended.

a. Undergraduate: Director of Admissions, Montebello Complex.

b. Graduate: Dean of Graduate Studies, Holmes Hall.

(2) Registration Records: Ongoing academic and biographical records for all students.

Registrar, Montebello Complex.

(3) The Bursar Office: Accounts receivable, records of financial charges, and

financial credits with the University for all students.

Bursar, The Montebello Complex.

- (4) Residence Life Records: Students' housing records

Director of Residence Life, Harper-Tubman House.

- (5) Financial Aid Records: Financial aid applications, awards, and needs analysis statements (but no student access to parents' confidential statements).

a. Undergraduate: Director of Financial Aid, The Montebello Complex.

b. Graduate School: Dean of Graduate School, Holmes Hall.

- (6) Judicial Affairs Records: Students' judicial and disciplinary records.

Vice President for Student Affairs, Truth Hall.

- (7) Counseling Center Records: Biographical data, summaries of conversations with students, test results. (Where records are made and used only for treatment purposes, they are not education records and are not subject to this policy).

Director of Counseling Center, Carter Grant Wilson Building.

- (8) Career Development Center Records: Recommendations, unofficial copies of academic records.

Director of Career Development Center, The Montebello Complex.

- (9) Miscellaneous Records: Various miscellaneous records kept by deans and departments.

a. Dean, Dean's office of each school.

b. Department Chairperson, Departmental office.

E. Waiver

A student may waive the right of access to confidential recommendations in the following areas:

- (1) admission to any educational institution;

- (2) job placement; and
- (3) receipt of honors and awards.

A waiver must be in writing. The University will not require such waivers as a condition for admission or receipt of any service or benefit. If right of access is waived, the student will be notified, on written request, of the names of all persons making confidential recommendations. Such recommendations may be used only for the purpose for which they specifically were intended. A waiver may be revoked in writing any time, and the revocation will apply to all subsequent recommendations.

IV. DISCLOSURES OF PERSONALLY IDENTIFIABLE INFORMATION

A. Consent Required

Except as provided in Section IV-B and IV-C below, the University will not release personally identifiable information in education records, or allow access to those records without prior consent from the student. The consent must be in writing, signed by the student, and dated. The student must specify the records to be disclosed, the identity of the recipient, and the purpose of disclosure. A copy of the record disclosed will be provided to the student on request and at the student's expense.

B. Exception for Directory Information

- (1) "Directory Information" means information that would generally not be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, a student's name, permanent and local address, electronic mailing address(e-mail), permanent and local telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational institution attended.
- (2) Directory information about a student may be disclosed by the University and may appear in public documents unless the student notifies the University in writing to the contrary by filing a written notice to the University that the student wishes the University not to disclose any or all of the information within three weeks of the first day of the semester in which the student begins each year. To avoid automatic disclosure of directory information, a student must file a notice each year with the Office of Records and Registration within the allotted time.

C. Other Exceptions for Personally Identifiable Information

The University may, without the consent of a student, disclose to the following persons personally identifiable information from the student's education record, including: the student's name, address, social security number, personal characteristics and other information that would make the student's identity easily traceable, and the name and address of the student's parents:

- (1) School officials of the University who are or may be in a position to use the information in furtherance of a legitimate educational objective.

A "school official" is a person employed by the University in an administrative, supervisory, academic, research, or support staff position; a member of the Board of Regents; and a person employed by or under contract to the University to perform a special task, such as an attorney or auditor.

A school official has a "legitimate educational interest" if the official:

- (a). performs a task specified in the official's job description or by a contract agreement;
 - (b). performs a service related to a student's education;
 - (c). performs a service related to the discipline of a student; or
 - (d). provides a service or benefit related to the student's family, such as health care, counseling, job placement, or financial aid.
- (2) Officials of another institution where the student seeks or intends to enroll, is enrolled, or receives services. The University shall notify the student of the other institution's request for information and, on request, provide the student with a copy of the record that was disclosed.
 - (3) Authorized representatives of the Comptroller General of the United States, the Secretary of Education, the Commissioner of the Office of Education, the Director of the National Institute of Education, the Administrator of the Veterans' Administration, the Assistant Secretary of Education, and State educational authorities, but only in connection with the audit or evaluation of federally supported education programs, or enforcement of or compliance with federal legal requirements relating to these programs. Subject to controlling federal law or prior consent, these officials will protect information received so as not to allow personal identification of students to outsiders.
 - (4) Authorized persons and organizations that are given work in connection with

a student's application for or receipt of financial aid, but only to the extent necessary to determine eligibility, amount, or conditions of financial aid or to enforce terms and conditions.

- (5) Persons to whom such information is specifically required to be reported by effective State law adopted before November 19, 1974.
- (6) Organizations conducting educational studies for or on behalf of the University for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. The studies shall be conducted so as not to allow personal identification of students to outsiders, and the information will be destroyed when no longer needed for these purposes.
- (7) Accrediting organizations for purposes necessary to carry out their functions.
- (8) Parents of a student who claim the student as a dependent for federal income tax purposes.
- (9) Appropriate parties in connection with an emergency, where knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- (10) In response to a court order or lawfully issued subpoena. The University will make reasonable efforts to notify the student before complying with the order or subpoena.

D. Record of Disclosures

The University will maintain with a student's education records a list of each request and each disclosure of personally identifiable information. The list will not include disclosures:

- (1) to the student;
- (2) pursuant to the written consent of the student (the written consent itself will suffice as a record);
- (3) to instructional or administrative officials of the University; or
- (4) of directory information.

The disclosure record shall indicate each party that has requested or received the information and the legitimate interest the party had in requesting or receiving the information. The record may be inspected by the student, the official custodian of

the records, and other University and governmental officials.

V. CORRECTION OF EDUCATIONAL RECORDS

A. Request to Correct Records

A student who believes that information contained in the student's education records is inaccurate, misleading, or violative of privacy or other rights may submit a written request to the Office of Records and Registration. A request must identify the specific document(s) being challenged and the basis for the complaint. Within a reasonable time after receiving the request, the University will decide whether to amend the records. The student shall be notified of the decision in writing. If the decision is to refuse to amend, the student will be notified and will be advised of the right to a hearing. The student may then exercise that right by written request to the Registrar.

B. Hearing

On request by a student, the University will provide an opportunity for a hearing to challenge the content of the student's records. A request for a hearing should be in writing and submitted to the Office of Records and Registration. Within a reasonable time after the request is received, the student will be given written notice of the date, place, and time of the hearing. The hearing shall be set a reasonable time after the notice is given and will be conducted by a University official who does not have a direct interest in the outcome. A student will have a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of the student's choice at the student's expense, including an attorney.

Within a reasonable time after the hearing, the Hearing Officer will notify the student in writing of the University's decision. The decision will be based solely on evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision. If the University decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, the University will amend the records accordingly.

C. Right to Place an Explanation in the Records

If, as a result of the hearing, the University decides that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the University will inform the student of the right to place in the student's record a statement commenting on the information and/or explaining any reasons for disagreeing with the University's decision. Any such explanation will be kept as part of the student's record as long as the contested portion of the record is kept and will be disclosed whenever the contested portion of the record is disclosed.

VI. RIGHT TO FILE COMPLAINT

A student alleging University noncompliance with the Family Educational Rights and Privacy Act may file a written complaint with the Family Educational Rights and Privacy Act Office (FERPA), United States Department of Education, Washington, D.C. 20202.

