



**Policy Number and Chapter:** 07.018 Student Affairs

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**Policy Title:** FERPA

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**Policy Statement.** The University of North Texas ("UNT" or "university") affords all students the rights and protections relating to their education records as provided in the *Family Education Rights and Privacy Act (FERPA)*. Consistent with FERPA, students will be granted access to their education record and except in limited circumstances education records will not be disclosed without a student's consent.

**Application of Policy.** All students

**Definitions.** The following definitions apply to this policy:

1. **Directory information.** "Directory information" means information contained in the education record of a student that would generally not be considered harmful or an invasion of privacy if disclosed. The following types of student information are considered "directory" for the purposes of this policy:
  - a. Name.
  - b. Major field of study.
  - c. Participation in officially recognized activities and sports.
  - d. Weight and height of members of athletic teams.
  - e. Dates of attendance.
  - f. Enrollment status (e.g., undergraduate or graduate; full-time or part-time).
  - g. Classification.
  - h. Degrees, awards and honors received (including selection criteria).
  - i. Expected graduation date.
  - j. Dissertation and thesis titles.
  - k. Most recent previous school attended.
  - n. Photograph.
2. **Disclosure.** "Disclosure" means to permit access to, release, transfer or communicate personally identifiable information from a student's education record by any means, including oral, written or electronic, to any party other than one who has a right to access the information.

3. Education record. "Education record" means any information (handwritten, printed, electronic, taped, filmed or preserved in any other medium) that is maintained by UNT or its agent, that is directly related to a student. Education record does not include:
  - a. Information that is generated or maintained by an individual for their own use and is not intended to be accessible or disclosed to any other person.
  - b. An employment record of a student employee when the employment is not contingent on the individual being enrolled as a UNT student and the record is used only in relation to the student's employment. Records related to work-study employment are educational records.
  - c. Records created and maintained by the campus police for law enforcement purposes.
  - d. Records that are created and maintained by any physician, psychiatrist, psychologist, or other professional acting or assisting in their professional capacity if the records are used only for treatment and are only made available to those providing treatment.
  - e. Client records that are created and maintained by the student attorney and their support staff are privileged and confidential per the Texas Disciplinary Rules of Professional Conduct. Client records will not be released to another university official, institution, or third party without express written consent of the student.
  - f. Alumni records that contain information about a student after the student is no longer in attendance at UNT and which do not relate to the individual's attendance as a student.
  - g. Grades on peer-graded papers before they are collected and recorded by an instructor.
4. Legitimate educational interest. "Legitimate educational interest" means an occasion where a UNT employee or agent of the university has a need to review information in an educational record to perform university business related to the employee's or agent's official responsibilities.
5. Parent. "Parent" means a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.
6. Personally identifiable information. "Personally identifiable information" or "PII" means any information that can be used, either alone or in combination with other information, to distinguish or trace an individual student. PII includes a student's name or address, or the name or address of the student's parents or family members, and personal identifier such as a student's social security number, other direct identifiers such as the student's date of birth, place of birth, and mother's maiden name.
7. Record of Disclosure. "Record Disclosure" means documentation maintained in a student's educational record that describes the names of those who have requested or received personally identifiable information from the education record and the legitimate interest the party had in requesting or obtaining the information. This documentation is not necessary in instances where the disclosure was to the parent or eligible student, to a party whom the parent or eligible student provided written consent to access the student's records, to University officials with legitimate educational interests, to a party seeking directory information, in compliance with a subpoena or court order as described in 34 CFR 99.31(a)(9)(ii)(A-C), or to other agencies/persons as may be

provided by FERPA. A record of disclosure must be maintained with the education records of the student for as long as the education record is maintained by the university.

8. School official. "School official" means any administrator, faculty, staff, committee member (whether faculty, staff or student) or student employee who performs a function or task on behalf of or at the request of the university, its faculty, colleges, departments or divisions. Also, may include contractors, consultants, volunteers or other individuals or entities to whom the university has outsourced a university function.
9. Student. "Student" means an individual who is or who has been in attendance at the University of North Texas and for whom UNT maintains an education record. A student is in attendance when that student enrolls in a course at the university and classes have begun. This applies whether the student is attending classes in person, on-line or through other technology and whether on or off campus. It does not include persons who have been admitted for a term but did not attend.

I. **Procedures and Responsibilities.**

A. **Annual Notice of Student Records Policy.**

Each year UNT will publish a notice in the undergraduate and graduate catalogs and on the official UNT website that summarizes the rights of students in accordance with this policy. The notice will identify the types of personally identifiable information designated as directory information; the student's right to elect to protect their directory information from disclosure; and the timeframe for informing the university of such an election.

Responsible Party: Office of the Registrar, Dean of Students Office, University Brand Strategy & Communications

B. **Student Access to Education Records.**

1. A student has the right to inspect, review and receive copies of their own education record upon request to the appropriate records custodian. The request must be provided in writing and must specifically identify the requested education records. The university will comply with all requests within forty-five (45) calendar days from the date the request was received.
2. Students should request education records from the appropriate record custodian as listed in the appendix to this policy.
3. A student requesting access to their education record in person may be asked to verify their identity with a government-issued photo identification. A student requesting access to their education record either electronically or by telephone will be asked to verify their identity by providing information that is specific to the individual, not including a social security number. A parent of a dependent child requesting access to their child's education record will be asked to verify their identity and that the student is their dependent for tax purposes.
4. Cost for copies will be determined in accordance with the UNT Texas Public Information Policy.
5. The University is not required to permit a student to inspect or review:
  - a. Financial records of the student's parents.

- b. Letters and statements of recommendation which relate to admission, application for employment or receipt of an honor or honorary recognition for which the student has waived the right of access through a valid written waiver signed by the student, or which were placed in the file before January 1, 1975. If a student has waived access to recommendations, UNT will disclose the identity of the individuals who provided the recommendations and will use the recommendations only for the intended purpose. A student may revoke a waiver in writing with respect to any action occurring after the revocation.
  - c. Admissions records if the application was denied.
  - d. Records that are not "education records" and are not subject to this policy.
- 6. If an education record includes information about more than one student, the student may inspect only their own information and UNT will redact personally identifiable information relating to other students prior to inspection.
  - 7. A student who owes a debt to UNT will not be given official copies of the academic transcript, nor will a request to transmit an academic transcript to another person or institution be honored as long as the debt remains. The student may view the academic transcript.
  - 8. A student who is or has been a student at another institution in the University of North Texas System and who has applied for admission to UNT does not have rights under this policy with respect to records maintained by UNT unless the student is accepted and attends UNT.

Responsible Party: Office of the Registrar, Dean of Students Office, Respective Department

**C. Amendment of Education Records.**

- 1. A student who believes that information contained in the student's education record is inaccurate, misleading or in violation of the student's right of privacy may ask UNT to amend the education record. The university will issue a decision within a reasonable period of time after receiving the student's request.
- 2. UNT will notify the student if a request to amend is rejected and inform the student of the right to request review of the decision.
- 3. The right to amend education records under this policy does not apply to grade appeals.

Responsible Party: Respective Department

**D. Process for Challenging Information in Education Records.**

- 1. A student may challenge a decision not to amend information in the student's education record by filing a written request for a hearing with the Dean of Students Office. The request must:
  - a. identify the specific information in the record the student believes is inaccurate, misleading or a violation of their privacy rights;

- b. state all of the reasons in support of the request;
  - c. specifically state how the student wants the records to be corrected; and
  - d. provide all documents or other information the student believes supports the request.
2. The university will convene a hearing to review the request within a reasonable time after the student submits the request and will notify the student of the date, time and place of the hearing, reasonably in advance.
3. The Dean of Students Office will appoint a Hearing Officer to consider the request. The Hearing Officer must be a university employee, generally from the Office of the Vice President of Student Affairs, who does not have an interest in the outcome of the hearing. If the records the student is challenging fall under the purview of the Dean of Students Office, the Vice President for Student Affairs (or designee) will appoint an individual without an interest in the outcome to conduct the hearing.
4. Students will be given an opportunity to present evidence and the student may, at their own expense, be assisted or represented by one or more other individuals, including an attorney.
5. A representative from the university office where the records are maintained or other UNT official with knowledge of the records will have the opportunity to explain, as applicable, why the information is accurate, not misleading or maintained in compliance with applicable privacy requirements.
6. The student has the burden of showing that the records they wish to correct are inaccurate, misleading or a violation of their privacy rights.
7. The Hearing Officer will issue written findings within three (3) business days after the hearing based solely on the evidence presented at the hearing. The findings will:
  - a. state whether the request to amend should or should not be granted;
  - b. summarize the facts that support the decision;
  - c. include the reason(s) for the decision; and
  - d. recommend the specific action(s) the record custodian must take to correct the record(s), when applicable. The recommended action(s) must be consistent with university policy and applicable state or federal law.
8. The Hearing Officer will notify the student and department representative of the findings and forward the findings to the Dean of Students Office for a final decision.
9. The Dean of Students Office will review the findings and determine whether to grant or deny the request. The Dean of Students Office will notify the student and department representative of the final decision in writing within three (3) business days after receiving the findings. The decision of the Dean of Students Office is final.

10. If Dean of Students Office grants the request, the university will amend the record and inform the student in writing when the records are amended.
11. If the Dean of Students Office denies the request, the student will be informed of the right to place a statement in their education record commenting on the contested content or stating the basis for disagreement with the decision, or both.

Responsible Party: Dean of Students Office, Respective Department

**E. Disclosure of "Personally Identifiable" Information.**

1. The university requires signed, dated, written consent from a student before disclosing personally identifiable information from an education record, except as otherwise provided in this policy. A student may submit this consent via (1) the student's [my.unt.edu](http://my.unt.edu) portal which allows for third-party designation and authenticated submission of the student's electronic signature or (2) submission of a signed, dated, written consent document to the respective department.
2. A student's consent to disclose personally identifiable information from an education record must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.
3. Consent may be submitted electronically when the consent identifies and authenticates the requestor and indicates the requestor's approval of the requested disclosure.
4. The university may disclose personally identifiable information from a student's education record without student consent to:
  - a. School officials who have a legitimate educational interest.
  - b. Parents when:
    - i. the student is a dependent of the parent for tax purposes as evidenced by appropriate documentation, including the parent's most recent tax return or a student financial aid application.
    - ii. a health or safety emergency necessitates disclosure to protect the health or safety of the student or another individual.
    - iii. the student is under 21 years of age at the time of the disclosure and the student has violated a federal, state or local law or any rule or UNT policy governing the use or possession of alcohol or a controlled substance and UNT has found the student in violation of the Code of Student Conduct.
  - c. Officials of another school to which a student seeks or intends to enroll or has already enrolled, upon written request, if the disclosure is for purposes related to the student's enrollment or transfer.
  - d. Certain officials of the U.S. Department of Education, the Comptroller General, the Attorney General of the United States, the U.S. Department of Veteran Affairs, and state

and local educational authorities in connection with an audit or evaluation of Federal or state supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs.

- e. Financial personnel in conjunction with an application for or receipt of financial assistance, provided the disclosure is needed: (i) to determine the eligibility of the student for financial aid, (ii) to determine the amount of financial aid; (iii) to determine the conditions that will be imposed; or (iv) to enforce the terms or conditions of the financial aid.
- f. Individuals delivering a judicial order or lawfully issued subpoena. The university will make reasonable efforts to notify the student before disclosing records in advance of compliance with the order or subpoena, except when directed not to do so by the court order or subpoena or when otherwise required by law.
- g. Organizations conducting studies for or on behalf of UNT pursuant to a written agreement to develop, validate or administer predictive tests or student aid programs, or to improve instruction. Information from education records may only be used to meet the purposes of the study stated in the written agreement between the university and the organization(s) and must contain the current restrictions on redisclosure and destruction of information requirements applicable to information disclosed under this exception.
- h. Accrediting organizations to carry out their accrediting functions.
- i. To appropriate parties in a health or safety emergency. Appropriate parties include, but are not limited to, school officials, law enforcement officials, parents, and emergency/medical personnel.
- j. To victims of an alleged perpetrator of a crime of violence, stalking or a non-forcible sex offense, limited only to the final results of a UNT disciplinary proceeding regardless of whether UNT determines through its own investigation that a violation was committed.
- k. To any member of the public in matters relating to sex offenders and information provided to UNT under applicable federal law.
- l. To a court in which the university is defending itself against legal action initiated by a parent or eligible student.
- m. To the originating party identified as the party that provided or created the record. This allows for returning documents, such as official transcripts, that appear to have been falsified back to the institution or school official identified as the creator or sender of the record for confirmation of its status as an authentic record.
- n. Individuals requesting records for students who are deceased.

Responsible Party: Office of the Registrar and Respective Department

**F. Disclosure of Directory Information.**

1. Directory information may be disclosed by UNT without a student's consent, unless a student has elected to withhold the information from disclosure.
2. Students, including those who have been admitted to UNT but who have not yet enrolled, may elect to withhold their directory information from disclosure by submitting a written notice to the Office of the Registrar. The election will remain in effect until the student provides a written request to change the election and lift the restriction.
3. An election not to disclose directory information does not apply to a class in which a student is enrolled.
4. A student who elected to withhold directory information should consider, upon graduation, revoking this election so the institution can verify the student's degrees for future employment.

Responsible Party: Office of the Registrar

**G. Disclosure of Records in Health and Safety Emergencies.**

1. The university may disclose personally identifiable information from an education record to appropriate individuals, including the parents of a student, in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
2. Decisions regarding disclosure will take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individual. Disclosure is appropriate in circumstances where there is an articulable and significant threat to the health or safety of a student or other individuals.

Responsible Party: Respective Department

**H. Disclosure of Records with Personally Identifiable Information Removed.**

1. The university may release education records without a student's consent after removing all personally identifiable information (e.g. de-identifying the information) from the record and upon determining that a student is not identifiable, whether through single or multiple releases of information, and taking into account other reasonably available information. The disclosure of de-identified information must be documented in writing.
2. Prior to release of de-identified education records for the purpose of education research, UNT will attach a code to each record that will allow the recipient of the record to match information received from UNT. If any information would permit the requestor or a member of the university community, with reasonable knowledge, to identify a student the information cannot be released. The assigned code:
  - a. will not be based upon the student's social security number or other personal information;

- b. will not be used for any purpose other than identifying de-identified records for purposes of educational research; and
- c. will not be used to ascertain personally identifiable information about a student.

Except as required by law, the university will not disclose the process for generating the code or assigning information or any other information that would allow a recipient to identify a student based on the code.

Responsible Party: Office of the Registrar

**I. Recording Requests for Disclosure.**

1. Except as specified below, the custodian of an education record will keep a written record of each request for access to, and disclosure of, personally identifiable information from the education records of a student, including the names of any individual or entity that may make further disclosure of the information without the student's consent. The record must identify those who have requested or received personally identifiable information from the education record and the legitimate interest the party had in requesting or obtaining the education record.
2. A record of disclosure must be maintained with the education record, for as long as the education record is maintained in accordance with university records retention policies.
3. A record of disclosure is not required to document disclosure to:
  - a. the student or the student's parent or legal guardian;
  - b. a school official with a legitimate educational interest;
  - c. an individual to whom the student provides written consent for disclosure;
  - d. an individual providing a lawfully issued subpoena; or
  - e. an individual requesting directory information.
4. In the event that UNT discloses personally identifiable information from an education record in connection with a health or safety emergency, the record of disclosure will specifically identify:
  - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
  - b. the parties to whom UNT disclosed the information.

Responsible Party: Office of the Registrar & Respective Department

**J. Student Complaints Regarding Possible FERPA Disclosures.**

1. If a student believes information from their student records has been shared in violation of this policy, the student may file a complaint with the Dean of Students Office at [Dean of Students Support or Report](#). The complaint must:
  - a. identify the information that was disclosed and the date of such disclosure, if known;
  - b. identify the educational record in which the information was located;
  - c. state the name and title or job function, of the school official who made the disclosure, if known;
  - d. identify the individual(s) to whom the disclosure was made and relationship, if any, to the educational agency or institution, and to the student, if known;
  - e. the circumstances under which the disclosure was made, if known;
  - f. how and when (date) the student became aware of the disclosure; and,
  - g. describe any communication between the student and the person who disclosed the information or the entity to whom the information was disclosed, as applicable.
2. The Dean of Students Office will investigate the complaint and inform the student and appropriate university official(s) of the findings. If the investigation determines that disclosure of the student's information did not comply with this policy, the student also will be informed of remedies that will be taken by the university.

Responsible Party: Dean of Students Office, Compliance

**II. Employee Education and Training.**

- A. New employees who have access to any student record shall receive training on this policy no later than the 10th day after their employment begins. Employees are individually responsible for completing the training every two years.
- B. Supervisors are responsible for ensuring employees under their supervision are in compliance with the education and training requirement.

Responsible Party: Compliance, Human Resources

**References and Cross-references.**

**Appendix: Custodians of Education Records**

<b>Record</b>	<b>Office</b>	<b>Responsible Official</b>
Permanent	Office of the Registrar	Registrar
Academic transcript	Office of the Registrar	Registrar
Disciplinary Record	Dean of Students Office	Dean of Students
CARE Team	Dean of Students Office	Dean of Students
Academic Disciplinary Record	Academic Integrity Office	Provost
Academic Record	Office of the Provost	Academic Department Chairperson
Financial Aid	Financial Aid	Director of Financial Aid
Admissions	Admissions	Director of Admissions
Financial Accounts	Student Financial Services	Director of Student Accounting
Placement	Career Center	Director, Career Center
Graduate	Office of the Registrar	Registrar
Police	University Police	Chief of Police
Health	Student Health & Wellness Center	Executive Director, Student Health & Wellness Center
International	International Studies	Director, International Studies

**Forms and Tools.**

[Authorization to Release Educational Records Student Guide](#)

[Parental Verification of Student Dependency](#)

[Request to Withhold Directory Information](#)

**Revision History**

<b>Policy Contact:</b>	Vice President for Student Affairs
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