

UAMS Academic Affairs Policy - 2.1.2



UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

Policy: University of Arkansas for Medical Sciences, Division of Academic Affairs
Subject: Family Educational Rights and Privacy Act (FERPA)
Number: 2.1.2

Date Approved (Council of Deans, Provost): August 24, 2012

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Next Review/Revision: September 12, 2024

Policy: The Family Educational Rights and Privacy Act of 1974 (FERPA) affords all students in higher education institutions certain rights with respect to their education records. Some of these rights are only applicable to students over 18 years of age.

A. UAMS observes FERPA regulations through the following rights:

1. The student's right to inspect and review her/his education records within 45 days after the day that the University of Arkansas for Medical Sciences (UAMS) receives a request for access. The student should submit to the appropriate official a written request that identifies the record(s) the student wishes to inspect. If the student is unsure which official should be contacted, she/he may direct the request to the Office of the University Registrar. The University Registrar, in conjunction with the department holding the requested records, will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The student's right to request amendment of the education record that she/he believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student should submit a written request to the University Registrar that identifies the information the student believes to be inaccurate as well as the reasoning behind the perceived inaccuracies. The appropriate official will make arrangements to review and, if necessary, correct the information in question. NOTE: This right refers to information that the student feels has been documented incorrectly, and is not applicable to student evaluations or grades with which the student disagrees. Grade and evaluation challenges are handled through separate processes within each academic college and the Graduate School. The University Registrar will notify the student in writing of the decision and provide information regarding the student's right to a hearing regarding the request for amendment if that request was denied. Additional information regarding the hearing

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procedures will be provided to the student when notified of the right to a hearing.

3. The student's right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

UAMS discloses education records without student prior written consent to university officials outside the college who have a legitimate educational interest in some or all of the information. A university official is a person employed by UAMS in an administrative, supervisory, academic, research, or support staff position. Generally, the UAMS officials who will have most routine access are those in Academic Affairs, Student and Employee Health, Campus Security, Campus Life, Student Financial Services and Information Technology. UAMS officials have access to student PII only on an as needed basis, and do not necessarily have access to the entire student record. UAMS will also grant access to other university officials who require the information in order to fulfill her/his professional responsibilities as authorized by FERPA.

Other officials who may require access to some or all of the student record include officials at the University of Arkansas System, a person serving on the University Of Arkansas Board Of Trustees, or a student or faculty member serving on an official committee such as a disciplinary or grievance committee. UAMS may also share student records with a volunteer or contractor outside of UAMS who performs an institutional service or function for which the university would otherwise use its own employees and who is under the direct control of the university with respect to the use and maintenance of PII from education records, such as an IT contractor, attorney, auditor, or collection agent or a student volunteering to assist another university official in performing his or her tasks or verification agencies such as the National Student Clearinghouse.

4. The student's right to file a complaint with the U.S. Department of Education concerning alleged failures by UAMS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. The student's right to restrict disclosure of directory information. Directory information includes but is not limited to now or in the future, the student's name; address; telephone listing; UAMS electronic mail (email) address; photograph; date and place of birth; major field of study; grade level; year in program, enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; degrees, honors and awards received; date of graduation, and the most recent educational agency or institution attended.

Directory information of students at UAMS is subject to public disclosure until and unless the student presents a signed *FERPA Hold Directory Information Form* (see 2.1.2a), indicating that he/she does not authorize such disclosure. The student must select RESTRICT on the form, sign and date it, and submit it to the Office of the University Registrar. The restriction will remain in effect until the student signs a

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release. A partial restriction of directory information may not be made (e.g., restrict only specific directory items and not others). If the student elects to restrict directory information, all categories of directory information are restricted.

UAMS may release directory information for all students unless otherwise instructed by a student through a signed *FERPA Hold Directory Information Form* that restricts disclosure of information. It is the student's responsibility to complete and submit the signed form to the Office of the University Registrar. A student may submit a *FERPA Hold Directory Information Form* at any time during the academic year; however, the request can only be honored for future publications and cannot be applied retroactively. A signed *FERPA Hold Directory Information Form* does not exclude the student from inclusion in the UAMS Global email address listing or regular class schedules and instructor grade rosters. The form does not exclude the student from inclusion in the *Caduceus* yearbook, the UAMS Senior Wall, or UAMS Commencement publications and press notifications unless the student specifies otherwise in a separate section on the completed *FERPA Hold Directory Information Form*.

B. Notification and Disclosures

UAMS will provide an annual notification to current students regarding its FERPA policy and instructions on how to restrict the disclosure of directory information. The annual notification is sent by email from the Office of the University Registrar to the student's UAMS email address. UAMS will include this FERPA policy in the Academic Catalog, and Colleges will include the UAMS FERPA Policy in Student Handbooks. A student's acknowledgment of her/his responsibility to the information contained in the catalog or handbook also serves as notice of UAMS' FERPA policies.

UAMS may disclose PII to those third parties to whom a student specifically grants permission through either the submission of a completed *FERPA Ongoing Authorization to Release Information Form* (2.1.2b) or a *FERPA One-Time Authorization to Release Information Form* (2.1.2c).

UAMS reserves the right to disclose PII from students' records without consent for the following reasons, as outlined in FERPA regulations:

1. To other university officials, including teachers, within UAMS whom the university has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, verification agencies such as the National Student Clearinghouse, or other parties to whom the university has outsourced institutional services or functions.
2. To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to requirements of 99.35 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.

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These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
5. To organizations conducting studies for, or on behalf of, the university, in order to:
(a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
6. To accrediting organizations to carry out their accrediting functions.
7. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
8. Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
9. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
10. To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
11. To appropriate officials in connection with a health or safety emergency, during the period of the emergency (§99.31(a)(10) and 99.36).
12. To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the university, governing the use or possession of alcohol or a controlled substance if the university determines the student committed a disciplinary violation and the student is under the age of 21.

C. Non-Approved Release of Student PII

In the event that student PII is shared or released by UAMS in a manner inconsistent with FERPA guidelines, or inconsistent with a student’s expressed wishes through a submitted Directory Hold form, UAMS will abide by the following procedures:

1. The department or unit will immediately notify the University Registrar in writing, describing the nature of the data release and attaching any pertinent documentation to assist in an investigation.
2. The University Registrar will notify appropriate UAMS personnel of the situation to

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ensure that subsequent data release has been controlled or eliminated.

3. After initial review, the University Registrar will work in conjunction with the impacted department or unit as well as the UAMS Offices of the Provost, General Counsel and Marketing & Communications to formulate prompt communication and notification to affected student(s). Where required by FERPA, notification will also be made to the U.S. Department of Education.
4. Upon conclusion of any investigation, the University Registrar will develop a final report to be kept on file in the Office of the University Registrar and provided to the appropriate authorities as needed. A notation of the situation and findings will also be added to each student's academic file in the Office of the University Registrar.

D. UAMS FERPA Officer/Contact

UAMS has identified the University Registrar as the primary campus FERPA compliance officer. Questions or concerns related to FERPA policy application and compliance should be directed to:

Clinton Everhart, Ed.D.
Assistant Provost for Enrollment Services and University Registrar
Office of the University Registrar
University of Arkansas for Medical Sciences
4301 W. Markham, Slot 767
Little Rock, AR 72205
501-526-5600 (phone)
501-526-3220 (fax)
registrar@uams.edu (e-mail)
<http://registrar.uams.edu>

Related Documents:

1. 2.1.2a: FERPA Data Restriction (Hold Directory Information) Form
2. 2.1.2b: FERPA Ongoing Authorization to Release Information Form
3. 2.1.2c: FERPA One-Time Authorization to Release Information Form