

# Privacy and Release of Student Education Records

The Family Educational Rights and Privacy Act of 1974 (sometimes referred to herein as “the Act”), as amended, sets forth requirements designed to protect the privacy of student education records. The Act gives parents certain rights with respect to their children’s education records. These rights generally transfer to the student when he or she reaches the age of 18 or attends post-secondary (beyond 12th grade) school. The law governs access to records maintained by educational institutions and the release or disclosure of certain information from those records. This notice is published in each “[Registration Schedule of Classes](#)” to explain the rights of students with respect to records maintained by Louisiana State University and A&M College (“LSU” or “the university”). It also outlines LSU’s procedures to comply with the requirements of the Act. Copies of the Act, the Federal Regulations adopted pursuant to it, and this notice are available for viewing on LSU’s website ([www.lsu.edu/registrar](http://www.lsu.edu/registrar)), and in the Office of the University Registrar, Room 112, Thomas Boyd Hall, Baton Rouge, LA 70803.

## DEFINITIONS

### I. EDUCATION RECORDS

1. The meaning of “education records” is, with certain exemptions as listed below, those records, files, documents, and other materials which contain information directly related to a student, and are maintained by any employee or agent of the university. The following categories of information are exempted and are not considered to be “education records”:
  - Records made by university personnel which are in the sole possession of the maker and are not accessible or revealed to any other person except a temporary substitute of the maker.
  - Records maintained by the LSU Police Department for law enforcement purposes.
  - Medical and counseling records used solely for treatment. (Medical records may be personally reviewed by a physician of the student’s choice.)
  - Records of student workers related exclusively to the student’s employment with the university.
  - Records only related to a former student (alumni records) that are not directly related to the student’s attendance as a student. Records of that individual while a student continue to be considered education records.
2. All records pertaining to students which are maintained by university offices are official university records, and as such, remain the property of the university.
3. Each university unit has an obligation to keep a record of requests for access to, and disclosures of, personally identifiable information in student records information except when the request is from the student, a university official with a legitimate educational interest, someone requesting directory information, or related to a request with written

consent from the student. Students have the right to review this record of requests and disclosures of student record information.

## **II. PERSONALLY IDENTIFIABLE INFORMATION**

Data or information which includes, but is not limited to the following:

- The student's name.
- The name of the student's parents or other family members.
- The address of the student or the student's family.
- A personal identifier such as the student's Social Security Number, LSUID, or biometric record.
- Other indirect identifiers, such as the student's date of birth, place of birth, mother's maiden name.
- Other information that alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- Information requested by a person whom the university reasonably believes knows the identity of the student whom the education record relates.

## **III. STUDENT**

Any individual who is or has been in attendance at LSU and regarding whom LSU maintains education records.

### **POLICY DETAIL**

## **I. RIGHT TO INSPECT AND REVIEW**

Students are granted the right to inspect and review all of their education records, except the following:

- Financial records of parents.
- Confidential letters and statements of recommendation placed in education records prior to January 1, 1975.
- Confidential letters and statements of recommendation for admission, employment, or honorary recognition placed in education records after January 1, 1975, for which students have waived their right of access.

## **II. WAIVER OF RIGHTS OF ACCESS**

Students may waive their right of access to confidential letters and statements of recommendation. Even if the student signs a waiver, upon request, the names of all persons

making confidential recommendations will be made available. Employees or agents of the university may not require a student to waive his or her right of access for receipt of university benefits or services.

### **III. PROCEDURES FOR INSPECTION AND REVIEW**

1. Students have the right to inspect and review education records within 45 days after receipt of the request for access. Requests to review records must be made separately, in writing, to each office maintaining records. That office will make arrangements to comply with the request as expeditiously as possible not later than 45 days after receipt of the request. If the records are not maintained by the office to which the request was submitted, that office shall so advise the student, and the student shall address his or her request to the appropriate office.
2. Information contained in education records will be fully explained and interpreted for students by university personnel assigned to, and designated by, the appropriate office.
3. Students have the right to review only their own records. When a record contains information about more than one student, disclosure cannot include information regarding the other student(s).
4. The university reserves the right to deny copies of records, including transcripts, not required to be made available by the Act if the student has an unpaid financial obligation to the university.

### **IV. RIGHT TO CHALLENGE INFORMATION IN RECORDS**

1. Students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or in violation of the student's privacy rights.
2. This process includes an opportunity for amendment of the records or insertion of written explanations by the student into such records.
3. Students challenging information in their records must submit, in writing, a request for a hearing to the appropriate office maintaining the record, listing the specific information in question and the reasons for the challenge.
4. Within 45 days of receipt of the written request for hearing, the university will inform the student of the date, place, and time of the hearing and the identity of the official in charge of the hearing. The notice will be mailed to the student at least two weeks in advance of the hearing.
5. The right to challenge grades does not apply under the Act unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.

### **V. PROCEDURES FOR HEARING TO CHALLENGE RECORDS**

1. Students challenging information in their records must submit, in writing, a request for a hearing to the appropriate office maintaining the record, listing the specific information in question and the reasons for the challenge.
2. Within 45 days of receipt of the written request for hearing, the university will inform the student of the date, place, and time of the hearing and the identity of the official in charge of the hearing. The notice will be mailed to the student at least two weeks in advance of the hearing.
3. Hearings will be conducted by a university official who does not have a direct interest in the outcome of the hearing.
4. Students shall be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge, as referenced in item IV. The student may be assisted by individuals or an attorney at his or her expense.
5. The hearing officer will render a decision, in writing, noting the reason and summarizing all evidence presented within 30 days of the hearing. The decision will be based solely on the evidence presented and will include a summary of the evidence and the reason(s) for the decision.
6. Should the hearing be in favor of the student, the record shall be amended accordingly and the university shall notify the student of the amendment in writing. Should the request be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. When disclosed to an authorized party, the record will always include the student's statement and the hearing officer's decision, as long as the student's record is maintained by the university.
7. If students have questions regarding the procedure for challenging records, they should contact the Office of the University Registrar at [registrar@lsu.edu](mailto:registrar@lsu.edu) or 225-578-1690.

## **VI. CONSENT FOR RELEASE REQUIRED**

Written, dated, and signed consent must generally be obtained from students for the release of information from education records, specifying what is to be released, the reasons for release, and name of the party or class of parties to whom the record are to be released, with a copy of the record sent to the student if he or she desires.

## **VII. RELEASE WITHOUT CONSENT**

1. The requirement for consent does not apply to the following:
  - o Requests from school officials who have a legitimate education interest on a "need to know" basis. School officials are members of the faculty and staff of LSU, including student employees or agents of the university, as necessary or appropriate, to conduct official business, as authorized by the university. Legitimate educational interest includes performing a task related to the regular duties of the employee or agent, the student's education, the discipline of a student, a service or benefit for the student, or maintaining safety and security of the campus.

- Requests from a person employed by or under contract with the university to perform a special task.
- To public officials as specified in the Act.
- To agencies or institutions that have requested records in which a student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
- To organizations for use in studies designed to develop, validate, or administer predictive tests, administering student aid programs, and improving instruction. Such agencies must agree not to divulge personally identifiable records to third parties and must agree to ultimately destroy these records.
- Requests in compliance with a judicial order or lawfully issued subpoena, provided the university makes a reasonable attempt to notify the student in advance of compliance (except in certain cases involving grand jury subpoenas and subpoenas issued for law enforcement purposes and the court has ordered that the existence of the subpoena not be disclosed); or, when the university is involved in a legal action with a parent or student, where disclosure to the court, without a court order or subpoena, of records that are relevant for the university to proceed as plaintiff or to defend itself is permissible.
- To comply with a court order obtained under the USA PATRIOT Act of 2001 for education records considered relevant to a terrorism investigation or prosecution, without advance notice to the student.
- Requests in connection with a student's application for or receipt of financial aid.
- Requests by state authorities and agencies specifically exempted from the prior consent requirements by the Act for disclosure of records to organizations conducting studies on behalf of the university, if such studies do not permit the personal identification of students to any persons other than to representatives of such organizations and if the personal identification data is destroyed when no longer needed.
- Information submitted to accrediting organizations.
- Requests by parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986.
- To parents or legal guardians 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.
- To any person, including a parent, whose knowledge of the situation is necessary to protect the health or safety of the student or any other individuals when, considering the totality of the circumstances, the university has determined that there is an articulable and significant threat to the health or safety of a student or any individual.
- To authorized federal officials who have need to audit and evaluate federally-supported programs.
- To the U.S. Citizenship and Immigration Services (USCIS)/Department of Homeland Security (DHS) concerning an F, J, or M nonimmigrant alien, only to the extent necessary for the university to comply with Student and Exchange Visitor Program (SEVP) reporting requirements, as mandated by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the USA

PATRIOT Act, the Enhanced Border Security and Visa Entry Reform Act of 2002, and the regulation at 8 CFR 214.1(h). Consent is not necessary for the university to disclose required information to USCIS or DHS in compliance with SEVP reporting obligations.

- As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which education records and personally identifiable information (PII) contained in such records — including the Social Security Number, grades, or other private information — may be accessed without the student’s consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to the records and PII without the student’s consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is “principally engaged in the provision of education,” such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to education records and PII without the student’s consent to researchers performing certain types of studies, in certain cases even when the university objects to or does not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive the PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without the student’s consent PII from education records, and they may track a student’s participation in education and other programs by linking such PII to other personal information about the student that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.
  - The results of any disciplinary proceeding conducted by the university against an alleged perpetrator of a crime of violence to the alleged victim of that crime.
  - To the victim of an alleged perpetrator of a crime of violence or non-forcible sex offense.
  - To disclose information provided to the university under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) concerning registered sex offenders who are required to register under that section.
  - Requests for “directory information” (see item VIII).
2. The university reserves the right to verify the accuracy of any information contained in what purports to be an official university document (e.g., a transcript or diploma) or is provided to a third party. In addition, degrees (any honors, majors, minors and specializations) are considered public information since they are conferred in a public ceremony.

## **VIII. DIRECTORY INFORMATION**

1. LSU, in accordance with the Act, has designated the following information about students as public (directory) information:
  - Name
  - Address (local, home, and e-mail)
  - Telephone (local and home)
  - Major field of study/classification
  - Dates of attendance\*
  - Degrees, awards, and honors received\*
  - Most recent educational agency or institution attended
  - Participation in officially recognized activities and sports
  - Weight and height of members of intercollegiate athletic teams

\*Please note that enrollment and degree verification are processed via the National Student Clearinghouse and may require a fee for release.

2. Students have the right to have this directory information withheld from the public if they so desire. Each student who wants all directory information to be withheld needs to complete a form available in the Office of the University Registrar. The hold will remain in effect until the student requests that it be lifted. Only currently enrolled students may place a hold on the release of directory information.
3. The university receives many inquiries for “directory information” from a variety of sources, including friends, parents, relatives, prospective employers, other institutions of higher education, honor societies, licensing agencies, government agencies, and the news media. Each student is advised to carefully consider the consequences of a decision to withhold “directory information.” The university, in good faith, will not release directory information requested to be withheld, and any requests from persons or organizations outside the university will be refused unless the student provides written consent for the release.
4. Given the ability of students to stay connected with family and friends via the Internet, etc., the university strongly recommends that personnel with access to directory information not release any addresses, phone numbers, or e-mail addresses to third parties. Requestors are to be directed to the Office of the University Registrar.
5. The university publishes student address information on the myLSU Directory, but not on the public directory. If students want to withhold their address information from the myLSU Directory, they may do so using the myLSU Directory Information application.

## **IX. COMPLAINTS, CONCERNS, OR SUGGESTIONS**

Final responsibility for the interpretation of the provisions of this policy rests with the University Registrar. Any student who has reason to believe that the university is not complying with the Act or this policy should inform the University Registrar in writing. The University Registrar shall promptly review all such allegations. Students also have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the Act.

## RESOURCES

### **I. TYPE, LOCATION, AND CUSTODIAN OF STUDENT RECORDS**

LSU does not maintain education records in one central office. Education records are maintained in the respective colleges and schools, the Graduate School, and the Office of the University Registrar. Other education records are maintained in the Office of Academic Affairs, Student Life and Enrollment Management (undergraduate admission, financial aid information, and student employment), Student Advocacy and Accountability (disciplinary records), Athletic Department, International Services Office, and other offices. Questions regarding individual student records should be directed to the appropriate location. See complete list under “Responsibilities.”



## II. RESPONSIBILITIES

<b>Position or Office</b>	<b>Location</b>	<b>Custodian</b>
Academic Affairs, Office of	Room 146, Thomas Boyd Hall	Dr. Stacia Haynie
Academic Success, Center for	Room B-31 Coates Hall	Ms. Melissa Brocato
Admissions, Graduate	Room 114, David Boyd Hall	Dr. Malcolm Richardson
Admissions, Undergraduate	Room 1146, Pleasant Hall	Mr. Emmett Brown
Advising & Counseling, Center for	Room 150, Himes Hall	Ms. Andrea Jones
Agriculture, College of	Room 104, Woodin Hall	Dr. William Richardson
Art & Design, College of	Room 213, Design Building	Dr. Alkis Tsolakis
Athletics	6 <sup>th</sup> Floor Athletic Administration Building	Mr. Joe Alleva
Bursar Operations, Office of	Room 125, Thomas Boyd Hall	Ms. Elahe Russell
Business, E. J. Ourso, College of	Room 1053, Business Education Complex	Dr. Richard White
Career Services	Room B-4, Coates Hall	Dr. Jesse Downs
Coast & Environment, School of	Room 1002U, Coast and Environment Building	Dr. Chris D'Elia
Continuing Education, Division of	Room 1225, Pleasant Hall	Dr. Sasha Thackaberry
Disability Services	Room 115, Johnston Hall	Mr. Benjamin Cornwell
Engineering, College of	Room 3139, Taylor Hall	Dr. Judy Wornat
Enrollment Management	Room 1146, Pleasant Hall	Dr. Kurt Keppler
Freshman Year, Center for	Room 150, Allen Hall	Ms. Andrea Jones
Graduate School	Room 114, David Boyd Hall	Dr. Malcolm Richardson
Human Sciences & Education, College of	Room 221, Peabody Hall	Dr. Roland Mitchell
Humanities and Social Sciences, College of	Room 119, Hodges Hall	Dr. Troy Blanchard
Honors College	Room 205, French House	Dr. Jonathan Earle
Mass Communication, Manship School of	Room 213, Journalism Building	Dr. Martin Johnson
Music & Dramatic Arts, College of	Room 102, School of Music Building	Dr. Todd Queen
Residential Life	Room 99, Grace King Hall	Mr. Steve Waller
Science, College of	Room , 124 Hatcher Hall	Dr. Cynthia Peterson
Student Advocacy & Accountability	Room 340, LSU Student Union	Dr. Jonathan Sanders
Student Aid	Room 1146, Pleasant Hall	Ms. Amy Marix
Student Affairs	Room 146, Thomas Boyd Hall	Dr. Jeremiah Shinn
University Registrar, Office of the	Room 112, Thomas Boyd Hall	Mr. Clay Benton
Veterinary Medicine, School of	Room 1102, Veterinary Medicine Building	Dr. Joel Baines

### **III. LSU OFFICE OF THE DEAN OF STUDENTS**

Student Advocacy & Accountability, 225-578-4307

[LSU Code of Student Conduct. https://www.lsu.edu/saa/students/codeofconduct.php](https://www.lsu.edu/saa/students/codeofconduct.php)

### **IV. U. S. DEPARTMENT OF EDUCATION**

U.S. Department of Education, 1-800-872-5327. [www2.ed.gov/policy/gen/guid/fpco/index.html](http://www2.ed.gov/policy/gen/guid/fpco/index.html)

### **V. CONTACTS**

<b>Subject</b>	<b>Office</b>	<b>Telephone</b>	<b>E-mail</b>
Interpretation of the policy or referral to area of responsibility for maintaining record(s)	Office of the University Registrar	225-578-1686	<u><a href="mailto:registrar@lsu.edu">registrar@lsu.edu</a></u>