

April 22, 1997

ADMINISTRATIVE MEMORANDUM NO. 32

To: Vice Presidents, Deans, Directors, Department Chairs, and Other
Administrative Officials

From: Salme H. Steinberg, President

Subject: Release of Student Information

In compliance with the Family Educational Rights and Privacy Act of 1974, as amended, the following policy outlines the procedures available for access to student records. This policy is intended to ensure the confidentiality of student records.

I. DEFINITIONS

"Student" is defined as one who has attended or is attending Northeastern Illinois University and whose records are in the files of the University.

"Education records" are those records which are directly related to a student and maintained by the institution or by a party acting for the institution. "Education records" do not include files made by and kept in the sole possession of the maker which are not accessible to any other person.

"Directory Information" includes name, address, telephone number, dates of attendance, enrollment status, level, previous institutions attended, major field of study, awards, honors, degrees conferred with dates, past and present participation in officially recognized sports and activities, physical factors (height and weight of athletes), prior military experience, campus e-mail address, and date and place of birth. (See Section V, Release of Information)

II. LOCATION OF EDUCATION RECORDS

All students have records in the Admissions/Records Office, DBL-111, maintained by the Director of Admissions/Records.

Students may also have records in the following offices which are maintained by the administrative officer listed:

Academic Development	CLS-4026	Dean
Career Development and Placement	BWG-117	Director
*College of Arts and Sciences	SCI-158A	Dean
*College of Education	CLS-4044	Dean

*College of Business & Management	CLS-0041	Dean
Dean of Students	BWG-114	Dean
Vice President for Student Affairs	BWG-104	Vice President
Financial Aid	DBL-208	Director
*Graduate College	CLS-4029	Dean
Non-Traditional Degree Programs	CBL-530	Director

*Some departments maintain records separate from the college. A list of departments or programs which have separate records, their location, and the person responsible for the record may be obtained from the office of the dean of the college in which the department or program is located.

III. AVAILABILITY OF RECORDS TO STUDENTS

A student's record is open to the student, with the following exceptions:

- a) Letters of recommendation placed in files prior to January 1, 1975 which were intended to be confidential and used only for the purpose for which they were prepared.
- b) Records of parents' financial status.
- c) Medical and psychological records. Medical and psychological records are not available to anyone other than those providing treatment, but can be reviewed by a physician or licensed professional of the student-patient's choice.
- d) Some items of academic record under certain conditions. To ensure the validity and confidentiality of references prepared off campus and on campus, certain documents may carry waivers, signed by the student, relinquishing the student's right of access to the document.

Waivers are subject to the following conditions:

1. Waivers can be signed only for the specific purposes of application for admission, candidacy for honor or honorary recognition, including financial aid, based at least in part on merit, and candidacy for employment;
2. Waivers cannot be required;
3. The student shall be told, upon request, the names of those supplying references.

All items in the academic record not covered by waivers are open to the student. Material not covered by waivers may not be protected by keeping it out of the student's file.

IV. AVAILABILITY OF RECORDS TO UNIVERSITY PERSONNEL

Student records are open to members of the currently employed University faculty and Staff who have a legitimate need to know their contents, with the following provisions/restrictions:

- The University faculty or staff member must be performing a task that is specified in her/his position description or by a contract agreement,
 - performing a task related to a student's education,
 - providing a service or benefit relating to the student such as health care, counseling, job placement or financial aid.
- a) The determination of "a legitimate need to know" will be made by the person responsible for the maintenance of the record. This determination will be made scrupulously and with respect for the individual whose record is involved. A professor therefore, may access the records of an enrolled student in her/his class.
- b) Those letters and statements in an education record which are inaccessible to students (filed before January 1, 1975 or segregated by waivers) are to be used only for the purposes for which they were prepared.

V. RELEASE OF INFORMATION

Directory information may be released to agencies or persons outside the University unless the student completes the appropriate form which indicates that this information should be withheld. This form may be obtained in the Admissions and Records Office and must be filed within the first 10 days of classes.

Other information in the education record normally will be released to third parties (i.e., anyone not a member of the faculty or staff) only at the written request of the student. A student may secure from the appropriate office a "consent form" authorizing the release of specified records to specific individuals.

Other information in the education record will be released to third parties without the consent of the student only as follows:

- a) Information will be released:
1. To federal and state officers in connection with the audit and evaluation of federally supported educational programs and to enforce federal laws.
 2. As required by State law.

3. To research projects on behalf of educational agencies seeking test norms, improving instruction, etc., provided that there is no personal identification of students.
 4. To accrediting agencies carrying out their functions.
 5. In response to a subpoena.
 6. To officials of another school, upon request, in which a student seeks or intends to enroll.
 7. To parents of a dependent (as defined by the IRS code) student.
 8. Results of a disciplinary hearing to an alleged victim of a crime of violence.
 9. To appropriate persons in an emergency if the knowledge of information is in fact necessary to protect the health or safety of the student or other persons.
- b) The third party must submit the request in writing and must specify legitimate reason. A copy shall be filed with the President's Coordinator of Legal Affairs.
- c) Education records will be released to third parties only by the Vice President for Student Affairs, the Director of Financial Aid, or the Director of Admissions and Records. No other University office will release education record information to third parties directly except in the case of institutional audits. Third party requests to other University offices shall be referred to one of the aforementioned officials.
- d) A reasonable attempt will be made to notify the student prior to the release of information if: (a) the request for information takes the form of subpoena, and (b) disclosure without notice would infringe upon the student's rights under the Family Educational Rights and Privacy Act. Judgments on condition (b) will be made by the President's Coordinator of Legal Affairs in consultation with the University President and Legal Counsel.
- e) A notation of the release made to third parties will be kept in the student's record by the Vice President for Student Affairs, the Director of Financial Aid, or the Director of Admissions and Records except when the reason for the request is an institutional audit, procedural evaluation, or research. Reasons shall be evaluated in consultation with the President's Coordinator of Legal Affairs. Such notation is open only to the student and the person in charge of the record.

The third party is prohibited by the Family Educational Rights and Privacy Act from subsequently releasing personally identifiable information to other (or fourth) parties, and shall be so informed in writing by the University official who releases information.

VI. ACCESS PROCEDURE

The University has established the following procedures enabling the student to have access to her/his record within 15 working days of the request and has provided for interpretation and challenge.

- a) The student may see her/his file by filling out a specific request form at the office where the record of interest is maintained.
- b) Access is to be granted promptly and no later than 15 working days from the date of the request.
- c) The student may make the request in person or by mail.
- d) The student may obtain copies of records upon request (for which the University may charge an appropriate fee per page), with the following exceptions:
 1. Copies of transcripts from other schools will not be released.
 2. Copies of NEIU transcripts will not be released if the student is indebted to the University.
- e) The student may request and receive interpretation of her/his record from the person (or designate) responsible for the maintenance of the record.

VII. REVIEW ON CHALLENGE

- a) In the event a student challenges the content of the education record on the basis that an item(s) is inaccurate, misleading, or violates the privacy or other rights of the student, the custodian of the education record shall discuss the challenge with the student and attempt to resolve the challenge within a framework of maintaining the integrity, accuracy, and usefulness of the record. If the student wishes to insert a written explanation regarding the content of the record, such written explanation is to be accepted and included in the record.
- b) If the custodian and student are unable to resolve the challenge, they shall schedule a meeting with the appropriate Dean within 15 days of the challenge for further review.
- c) If no resolution can be effected, the matter will be referred to a hearing panel (see VIII, b).
- d) It is the obligation of the University to amend the education records if it is found that information contained therein is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and the student's statement commenting on the education records which may be inserted therein shall be maintained as part of the educational records and shall be disclosed, together with the contested

portion, to any party entitled to receive the education records.

VIII. THE HEARING

a) General principles:

A request for a hearing must be specific to a record, be submitted in writing to the custodian of the record, and include an explanation or justification of the request for a hearing. It is the responsibility of the student to prepare the written request.

b) The Hearing Panel shall be appointed by the appropriate Vice President. It shall consist of:

1. At least one administration official of the University who does not have an interest in the direct outcome of the hearing.
2. One faculty member of the University who does not have an interest in the direct outcome of the hearing.
3. Two representatives from the Student Government or appropriate body.

The custodian of the record(s) or her/his designate shall be present as a resource person, but only as an ex-officio member of the panel.

c) The hearing panel process shall afford the student a full and fair opportunity to present evidence relevant to the issue being raised. The process will ensure that:

1. Hearings will be scheduled within a reasonable period of time not to exceed 45 days from the date on which the appeal was heard by the appropriate dean.
2. Hearings will not be open to the public.
3. Neither the student in question, nor her/his representative, shall serve on the panel.
4. Decisions of the panel will be by majority vote and will be final.
5. Results of the hearing, to include a summary of the evidence and the reasons for such decision, will be communicated in writing to the student and to the custodian(s) of the record being challenged within a period not to exceed 45 days after the conclusion of the hearing.

IX. NOTIFICATION REGARDING ACCESS TO RECORDS

Annual notification of this policy shall be made in official publications, such as the school catalog.

X. CONTINUED MAINTENANCE

Nothing in this policy requires the continued maintenance of any student record. However, if under the terms of this policy a student has requested access to the record, no destruction of the record shall be made before access has been granted to the student. Persons in charge of records should ensure that only pertinent items are retained in student files.