



Policy Title

PRIVACY OF STUDENT RECORDS

1. Policy Purpose and Statement

It is Fort Valley State University's policy to comply with the Family Educational Rights and Privacy Act (FERPA) which governs students' rights with respect to their educational records. This policy outlines Fort Valley State University's policy on students' right to review, modify, and control the disclosure of their education records.

2. Policy Application and Effective Date

- A. This policy applies campus-wide
- B. This policy is effective August 12, 2020.

3. Definitions

N/A

4. Policy

- A. General.** FVSU complies with the Family Education Rights and Privacy Act (FERPA), which affords students certain rights with respect to their educational records. These rights include the following: the right to inspect and review their records within forty-five (45) days of the day FVSU receives an inspection request; the right to request an amendment of their record if they believe it is inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA; the right to provide written consent to disclosures of personally identifiable information contained in their educational records, except to the extent that FERPA authorizes disclosure without consent; and the right to file a complaint with the United States Department of Education concerning alleged failures by FVSU to comply with requirements of FERPA.
- B. Access to Records With Consent.** FVSU will not permit access to or disclosure of any information from a student's educational records to anyone outside the institution without the written consent of the student, except in compliance with the provisions of federal and Georgia state laws and regulations. FVSU will accept student signatures authorizing consent in electronic form. A student using an electronic signature must provide FVSU's custodian, for the record being requested, with sufficient information to identify the sender as the student and assurance that the electronic signature indicates the student's consent to release the information.
- C. Access to Records Without Consent.** FVSU discloses education records without a student's prior written consent to "school officials" with "legitimate educational interests." A "school official" is a person employed by FVSU in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom FVSU or the University System of Georgia (USG) has contracted as its agent to provide a service instead of USG employees or officials; a person serving on the Board of Regents; or a student serving on an official committee, such as a student conduct board, or assisting another university official in performing his or her tasks. A university official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibilities for FVSU.

FVSU has designated the following to be "school officials" with a "legitimate educational interest" in student records: members of the USG Board of Regents, FVSU faculty, selected personnel in the

departments or offices of the President, Provost, Deans, Registrar, Student Health Center, Campus Safety, Vice President for Business and Finance, Vice President for Academic Affairs, Director of Athletics and Director of Marketing and Communications. FVSU, acting through the Provost, for academic records, and Vice President of Student Affairs and Enrollment Management, for disciplinary records, also consider certain students to be school officials with a legitimate educational interest, by virtue of their work study/graduate assistant status. However, these students must first attend a FERPA briefing, tailored to the type of access that the student will be granted, given by the Registrar or his or her representative.

In accordance with FERPA and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, FVSU will disclose, to the alleged victim of any crime of violence or non-forcible sex offense, the results of any student disciplinary hearing or faculty/staff disciplinary hearing conducted against the alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of FVSU rules or policies.

FVSU may disclose, to the parent of any student under the age of 21, any violation by the student of FVSU policy or local, state or federal law concerning the use of alcohol or drugs. The decision on whether or not to notify the parent will belong to the Vice President of Student Affairs and Enrollment Management.

D. Directory Information. The following data is considered to be directory information and may be given to an inquirer, either in person, by mail, or by telephone, and may be otherwise made public unless the student has requested that the Registrar place a hold on his/her directory information:

1. Student name
2. Date and place of birth
3. Hometown
4. Major field of study
5. Class status
6. School email address
7. Participation in officially recognized activities and sports
8. Weight and height of members of athletic teams
9. Dates of enrollment
10. Enrollment status (including hours enrolled)
11. Degrees received
12. Honors/awards received
13. Most recent previous school attended

E. Student Access to Personal Records. FVSU reserves the right to deny a student the right to inspect the following records: Parents' financial records, confidential letters of recommendation requested by the student for which the student has waived access (students may request the names of those who have submitted confidential recommendations), and documents revealing non-directory information about other students (such as class rosters).

F. Physical and Mental Health Information. FVSU is required by federal and Georgia State laws and regulations to protect the privacy of the Protected Health Information (PHI) of students and their medical treatment records. PHI includes information that identifies the student and relates to a student's past, present, or future physical or mental health information. FVSU will not release information related to the medical treatment or condition of a student to a third party without written consent of the student.

5. Procedures for Inspection, Amendment, and Complaint. Students at FVSU must adhere to the following procedures to exercise their FERPA rights:

1. **The student should submit a written request to the Registrar, dean, academic department head, or other appropriate official who is the custodian of the record that the student wishes to review and inspect.** The FVSU official will make arrangements for access within forty-five (45) days after receiving the request and will notify the student of the time and place the records may be inspected. If the official to

whom the request is submitted, does not maintain the records, that official shall advise the student of the person to whom the request should be addressed.

2. **Students may ask the university to amend a record that they believe is inaccurate or misleading.** The student should write to the FVSU custodian for the record, clearly identify the portion of the record the student wants changed, and specify why it should be changed. If the university official decides not to amend the record as requested by the student, the official will notify the student of the decision and the student's right to a hearing regarding the request for amendment. The student will receive additional information on this process when he or she is notified of the right to a hearing.
3. **Contact Information.** Anyone who has question concerning this policy or FVSU's procedures concerning the release of educational information under FERPA or Georgia State laws and regulations should contact FVSU's Privacy Officer. Students who have complaints concerning their privacy rights are also encouraged to contact the Privacy Officer. The Privacy Officer may be reached by email as follows: privacy.officer@fvsu.edu or by phone at (478)825-4321.
4. **Students may file a complaint with the US Department of Education concerning alleged failures by FVSU to comply with FERPA at:**

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington , D.C. 20202-8520

6. Forms

N/A

7. Appendices

N/A

8. Related Resources

The Family Educational Rights and Privacy Act, 20 USC §1232g, et. Seq.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC §1092(f), et. Seq.; 34 CFR §668.46

University System of Georgia- Board of Regents Policy Manual §§ 6.12, 6.24, 6.25

9. Responsible Party

Questions regarding this policy should be directed to:

Job Title: Privacy Officer

Department: Legal and Government Affairs

Phone: 478-825-4350

Email: privacy.officer@fvsu.edu