

OHIO UNIVERSITY

FERPA Compliance Statement

Both federal law (The Family Educational Rights and Privacy Act of 1974 and amendments) and state law (The Code Section 102) are in effect to insure the security and confidentiality of information used in our operations. Thus, security and confidentiality are matters for concern of all faculty, staff, and associates within Ohio University who have access to our data systems or physical facilities. Each person working in Ohio University offices which house or access student information holds a position of trust relative to this information and must recognize the responsibilities in preserving the security and confidentiality of this information. Therefore, we ask each associate of the university and any person authorized to access any student information through the facilities of the university:

1. Not to make or permit unauthorized use of any information.
2. Not to seek personal benefit or permit others to benefit personally by any confidential information which has come to them by virtue of their work assignment and in accordance with university policies.
3. Not to exhibit or divulge the contents of any record or report to any person except in the conduct of their work assignment in accordance with university policies.
4. Not to knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry.
5. Not to remove any official record (or copy) or report from the office where it is kept except in the performance of their duties.
6. Not to operate or request others to operate any university equipment for purely personal business.
7. Not to aid, abet, or act in conspiracy with another to violate any part of this code.
8. To immediately report any violation of the code to their work supervisor.

As custodians of official university records, we all share the responsibility for ensuring the security and privacy of the records and data we maintain. Please study this code and the excerpt from Ohio University Policy and Procedure 28.005: Section VII, Release of Student Records (on reverse side) carefully and after you have read it, sign the statement below. This signed acknowledgment will be retained in files of the University Registrar.

A violation of this code or the Ohio University student records policy may lead to reprimand, suspension, dismissal, or other disciplinary action, consistent with the general policies of the university related to student discipline or personnel policy.

I, _____, hereby affirm that I have read the Ohio University FERPA Compliance Statement and the excerpt from Ohio University Policy and Procedure 28.005: Section VII, Release of Student Records (on reverse side). I understand that my acceptance of access to the Student Information System, or any student records, signifies that I accept the responsibility for complying with the institutional student records policy. By my signature below, I understand and agree to adhere to the release of student record restrictions as described in this policy. I have retained in my possession a copy of this document and the excerpt on release of student records on the reverse side for my future reference and understand that the original signed copy will be placed on file in the Office of the University Registrar.

Signature

Date

Excerpt from Ohio University Policy and Procedure 28.005:

VII. Release of Student Records

Student records at Ohio University are held in trust by the University for the mutual benefit of the student and the educational mission of the University. Therefore, except with the prior written consent of the student, or as otherwise stated below, no information in any student education record file may be released to any individual or organization.

- A. Record-keeping personnel may have access to student education records according to the conditions stipulated in section III. above.
- B. Members of the faculty and staff and other persons demonstrating a legitimate educational interest may have access to student educational records for internal educational purposes or for necessary administrative and statistical purposes only. The legitimate educational interest will be determined by the University official responsible for the particular student's education record. Legitimate educational interest is used here in its traditional and classical sense. It means that, in order to serve students and the University, careful, considerate, and responsible judgments must be made by professional people who are responsible and accountable for these judgments. The rights of grievance and appeal are available to the student through the responsible official.
- C. Direct access to financial, medical, psychological, and placement files is limited to the professional and clerical staff responsible for those matters.
- D. The following information will be considered public, and may be published in a University publication: the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information. Relative to such public or directory information, the University shall give public notice of the categories of information which shall be considered public information, and shall allow a reasonable period of time after such notice has been given for a student to inform the University that all of the information designated should not be released without the student's prior consent.
- E. Direct access to disciplinary files is limited to the staff of the Office of Judiciaries and the Office of Legal Affairs, and the Dean of Students and his or her immediate staff. This section shall not be construed so as to prohibit the Office of Judiciaries from advising appropriate University offices that demonstrate a legitimate educational interest of the facts and disposition of a particular disciplinary case, nor shall it be construed so as to prohibit the Office of Judiciaries from advising any person demonstrating a need to know as to whether a disciplinary file does or does not exist.
- F. Medical and psychological information is legally confidential and privileged. It will not be released to anyone without the express written authorization of the individual involved. In such cases, the individual must designate what information is to be released and to whom that information is to be released.
- G. Notwithstanding the provision of subsections A.-F. of this section:
 - 1. Education records will be released on compliance with a judicial order, or pursuant to any lawfully issued subpoena, upon condition that the student is reasonably notified of all such orders or subpoenas in advance of the compliance therewith by the University.
 - 2. Records or information from records containing personally identifiable information may be made available to officials of other schools or school systems in which the student seeks or intends to enroll, upon condition that the student be notified of the transfer, receive a copy of the records if desired, and has an opportunity for a hearing to challenge the content of the record.
 - 3. Records or information from records containing personally identifiable information may be released in connection with a student's application for, or receipt of, financial aid.
 - 4. Records or information from records may be released to the parents of a dependent student, as defined in Section 152 of the Internal Revenue Code 1954. The University presumes for this purpose only that all students are independent. The parents of a student have the burden to show dependent status as defined in Section 152 of the Internal Revenue Code of 1954.
 - 5. Records or information from records may be released to the categories of persons or institutions designated in Section 438(b)(1)(C), 438(b)(1)(E), and 439(b)(3) of the Family Educational Rights and Privacy Act of 1974, and sections 99.30(a)(2) and 99.31 through 99.36 of the regulations thereto.
 - 6. Records or information from records may be released to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests; and administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organization and such information will be destroyed when no longer needed for the purposes for which it was released.
 - 7. Records or information from records may be released to accrediting organizations in order to carry out their accrediting functions.
 - 8. Records or information from records may be released to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.
 - 9. The University officials responsible for implementing the Student Records Policy and insuring compliance with the Family Educational Rights and Privacy Act of 1974 are the Vice President for Administration with the assistance of the Director of Legal Affairs, and the Dean of Students. The University Ombudsman may examine all education records of a student upon authorization by the student or the Director of Legal Affairs.