

The University of the South complies with the Family Educational Rights and Privacy Act of 1974 as amended (FERPA), which is designed to protect the confidentiality of the records that educational institutions maintain on students and to give students access to their records to assure the accuracy of their contents. A student is any person who attends or who has attended the University. An education record is record maintained by the University which is directly related to a student, with the following exceptions:

- Records made by University employees which are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- Employment records unless the employment is contingent on the fact that the employee is a student;
- Records maintained by the Sewanee Police Department solely for law enforcement purposes;
- Clinical records made, maintained and used by professionals or paraprofessionals (e.g., physician, psychiatrist, psychologist, or counselor) only in connection with treatment of the student and disclosed only to individuals providing the treatment;
- Alumni and development records containing information about individuals after they are no longer students at the University.

Types, Locations and Custodians of Education Records

The following chart identifies the major types of education records maintained by the University along with their respective locations and custodians. While every effort has been made to identify all types of education records, other education records may exist for an individual student.

Types	Location	Custodian
Admission and Academic Records	Cleveland Annex	University Registrar
	Hamilton Hall	Registrar, School of Theology
Financial Records	Carnegie Hall	University Treasurer
	Fulford Hall	Director of Financial Aid
Non-Clinical Disability Records	Walsh-Ellett Hall	Dean of the College
	University Counseling Center	Director of Counseling Services
Disciplinary, Honor Code, and Student Conduct Records	Walsh-Ellett Hall	Dean of Students Dean of the College
	Hamilton Hall	Dean of the School of Theology
Career Services and Placement Records	Career Services House	Director of Career Services

ACCESS TO EDUCATION RECORDS

Provided that they have not previously waived the right of access and after enrollment at the University, students have the right to inspect and review their education records within 45 days of the day the University receives a written request for access. Students should submit their written request, identifying as precisely as possible the record(s) they wish to review, to the University Registrar or other appropriate official records custodian. If the record(s) requested is not maintained by that official, he or she will advise the student of the correct official to whom the request should be addressed. Otherwise, the University official will make arrangements for students to review the education record(s).

Records not open to student review

In accordance with federal regulations, students do not have the right to review the following records:

- The financial records of the student's parents.
- Letters and statements of recommendation for which the student has waived his or her right of access or which were placed in the file before January 1, 1975.
- Records connected with an application to attend the University of the South if that application was denied or if the applicant did not enroll.
- Education records containing information about more than one student, in which case the University will permit access only to that part of the record which pertains to the inquiring student.
- Those records which are excluded from the definition of education records.

Right of the University to refuse to provide copies

The University of the South reserves the right to deny copies if the transcripts or other records are not required to be made available under FERPA, if the student has an overdue financial obligation to the University, or if there is an unresolved disciplinary action against the student.

REQUEST FOR AMENDMENT OF EDUCATION RECORDS

Students have the right to request amendment of their education records if they believe the records are inaccurate or misleading. Students should write the University official responsible for the specific record clearly identifying the part of the record they want changed and specifying why it is inaccurate or misleading.

That University official will reach a decision and inform the student in a reasonable amount of time after receiving the request. If the request to amend the record is denied, the University official will advise the student of his or her right to a hearing on the requested amendment, and provide information on hearing procedures. This hearing will be conducted by a hearing officer or committee appointed by the Provost. The hearing will be held before an officer or committee with no direct interest in the outcome of the hearing. However, the hearing officer or committee may be employed by or exist at the University. The hearing will be held within a reasonable amount of time after the request for a hearing has been made. The hearing officer will notify the student reasonably in advance of the date, place, and time of the hearing.

Students will be afforded a full and fair opportunity to present evidence relevant to the issue raised. A student may be accompanied, assisted, or represented by one or more other persons, including attorneys, at the student's expense. The hearing officer or committee will make a decision in writing based on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

If the hearing officer or committee supports the complaint, the education record will be amended accordingly, and the student will be so informed. If the hearing officer or committee decides not to amend the education record, the student has the right to place in the education record a statement commenting on the challenged information and/or stating the reasons for disagreeing with the decision. This statement will be maintained as part of the education record as long as the contested portion is maintained, and whenever a copy of the education record is sent to any party, the student's statement will be included.

Destruction of Records

Nothing in this policy requires the continued maintenance of any student record for any particular length of time. However, if under the terms of this policy a student has requested access to his or her education record, the record will not be destroyed before the custodian has granted access to the student.

DISCLOSURE OF EDUCATION RECORDS

Students have the right to consent to disclosures of personally identifiable information in their education records, except to the extent that FERPA or any superseding law authorizes disclosure without consent. Consent for the disclosure of a student's education records must be in writing, signed and dated by the student, specifying the records to be released, the reasons for such release, and to whom the records are to be disclosed.

Examples of disclosures of personally identifiable information that do not require the consent of the student include the following:

- To University officials who have a legitimate educational interest in the records.

A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position, which includes—but is not limited to—employees in the Sewanee Police Department, University Health Services, and University Counseling Services; individuals or entities with whom the University has contracted (e.g., an attorney, auditor, the National Student Clearinghouse); individuals serving on the Board of Trustees or Board of Regents; individuals serving on financial aid and award committees; volunteers performing institutional services and functions; and students conducting University business (e.g., serving on official committees, working for the University, or assisting another school official in performing his or her tasks).

A school official has a legitimate educational interest when the official needs to review an education record in order to fulfill his or her responsibility on behalf of the

University. Such an individual may be performing a task that is specific in his or her job description or by a contract agreement or other official appointment; performing a task related to a student's education; performing a task related to the discipline of a student; or providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.

- To officials of schools, school systems, or institutions of higher education in which the student seeks or intends to enroll, or to officials of another institution of higher education in which the student has enrolled.
- To authorized officials of the following entities, in connection with federal- or state-supported education programs: the U.S. Department of Education; the U.S. Comptroller General; the U.S. Attorney General; or state and local educational authorities.
- In connection with a student's request for or receipt of financial aid, including determining the eligibility, amount or conditions of the financial aid or enforcing the terms and conditions of the aid.
- If required by a state law requiring disclosure that was adopted before November 19, 1974.
- To state and local authorities to whom such information is specifically allowed to be reported or disclosed under state law in connection with the juvenile justice system.
- To organizations conducting certain studies for educational purposes for or on behalf of the University.
- To accrediting organizations, including individuals on visiting committees, to carry out their functions.
- To parents who claim the student as a dependent for income tax purposes. Education record information will be released only with the student's consent or upon receipt of a federal income tax return indicating the student's dependency status, unless otherwise authorized by law.
- To comply with a judicial order or a 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) or, when the University is involved in a legal action with a parent or student, where disclosure is to the court, without a court order or subpoena, and is relevant for the University to proceed as plaintiff or to defend itself.
- 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.

- (a) To an alleged victim of any crime of violence or non-forcible sexual offense (as defined by FERPA regulations at 34 CFR 99.39) and upon written request, the final results of any University disciplinary proceeding with respect to the crime or offense, regardless of whether the University concluded a violation was committed. (b) Otherwise in connection with a disciplinary proceeding for a crime of violence or non-forcible sexual offense (as defined by FERPA regulations at 34 CFR 99.39), the University retains the discretion to disclose the final results of the disciplinary proceeding only if the University determines that the alleged student perpetrator has committed a violation of University rules/policies with respect to the crime or offense. The name of any other student, victim or witness, may not be disclosed without that other student's consent. Disclosure to any individual other than the alleged victim applies only to disciplinary proceedings in which the final results were reached on or after October 7, 1998. For purposes of subsections (a) and (b), "final results" must include only the name of the alleged perpetrator student, the violation committed (rules violated and essential supporting findings), and the sanction imposed (disciplinary action taken, date, and duration).
- 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.
- To disclose to a student's parent information regarding any violation of law or of University rule or policy as to alcohol or controlled substances use or possession, if the student is under age 21 at the time of the disclosure and the University determines that such alcohol/drug use or possession constitutes a disciplinary violation.
- 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.
- 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.

Record of Disclosures

Except where not required under FERPA regulations (34 CFR 99.33) (e.g. disclosures to parents, disclosures of directory information, disclosures pursuant to court order under the USA

PATRIOT Act), the University will inform all third parties (anyone outside the University) to whom personal information from a student's education record is released that no further release of such information is authorized without consent of the student. The University will maintain a record of third parties who have requested or obtained access to a student's education records (not including parties seeking directory information, parties having student consent, parents, circumstances involving certain grand jury subpoenas, and disclosures pursuant to court order under the USA PATRIOT Act), indicating the legitimate interest that each such person or entity has in obtaining this information. This record of access, to be kept with the student's educational record, is available only to the student and the custodian(s) of the record.

Directory Information

The University of the South designates the following categories of personally identifiable student information as public or "Directory Information." The University may disclose such information at its discretion. Currently enrolled students may withhold disclosure of directory information by submitting written notification on an annual basis (usually prior to the beginning of the Advent semester) to the University Registrar's Office at: The University of the South, 735 University Avenue, Sewanee, Tennessee 37383-1000. Directory information will then be withheld until the student releases the hold on disclosure. Students should understand that, by withholding directory information, some information considered important to students may not reach them.

- Student's full name
- Current enrollment status
- Local address and telephone number
- Permanent address and telephone number
- Temporary address and telephone number
- Electronic mail addresses
- Date and place of birth
- Dates of attendance
- Class standing (e.g. sophomore)
- Schedule of classes
- Previous educational institution(s) attended
- Major and minor field(s) of study
- Awards and honors (e.g. Dean's List, Order of Gownsmen)
- Degree(s) conferred (including dates of conferral)
- Full-time or part-time status
- Photographic or videotaped images of the student
- Religion
- Past and present participation in officially recognized sports and activities, including fraternities and sororities
- Height and weight of student athletes
- Parents' names, addresses, and telephone numbers

COMPLIANCE

Students are encouraged to contact the University Registrar if they have questions about this policy. The University Registrar may be reached by calling (931) 598-1731, emailing to registrar@sewanee.edu, or writing to 735 University Avenue, Sewanee, Tennessee 37383-1000. Under FERPA, students have the right to contact the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-5901, e-mail address ferpa@ed.gov, with a complaint about the University's compliance with FERPA.