

## INSPECTION, REVIEW, AND AMENDMENT OF STUDENT RECORDS

### POLICY SUMMARY

Pursuant to the Family Educational Rights and Privacy Act ("FERPA") and this policy, Northern Arizona University provides its Students with the opportunity to inspect and review their Education Records. Additionally, Students may challenge and seek to amend their Educational Records on the grounds that information contained therein is inaccurate, misleading, or in violation of the Student's privacy rights. Students also have the right to prevent the unauthorized disclosure of information contained in their Educational Records. This policy does not address grade or evaluation disputes or grievances, which instead must be pursued in accordance with the University's academic appeal policies.

### REASON FOR THIS POLICY

The University must implement and comport with certain statutory mandates regarding Student rights to inspect, review, correct, and to prevent the unauthorized disclosure of their Educational Records.

### ENTITIES AFFECTED BY THIS POLICY

- All units that compile, manage, or administer Educational Records

### WHO SHOULD KNOW THIS POLICY

- All employees who compile, manage, or administer Educational Records
- All Students

### DEFINITIONS

**Directory Information:** in accordance with the *Data Classification and Handling* policy, for purposes of this policy, a Student's Directory Information includes, and is limited to, the following:

- name, major, officially recognized sports/activities participation
- enrollment status
- degrees and awards received
- dates of attendance, most recent previous colleges/institutions
- weight and height of athletic team members
- address (local and permanent), telephone number, email address

**Educational Records:** for purposes of this policy, the term, Educational Records, will have the meaning established under [20 USC § 1232g\(a\)\(4\)](#). Accordingly, as used herein, Educational Records refers to and includes those records, files, documents, and other materials which i) contain information directly related to a Student; and ii) are maintained by the University or any agent acting for the University. Educational Records do not, however, include i) personnel or employment records; ii) law enforcement records maintained by the NAU Police Department; or iii) health care records.

**Student:** for purposes of this policy, any individual who is or has been in attendance at the University, or any other individual for whom the University maintains Education Records.

## POLICY

### A. Right to Inspect and Review

1. Upon application to the Office of the Registrar or the Office of the Dean of Students, as appropriate, a Student will have the right to inspect and review their Educational Records, subject to the limitations outlined in Section B.
2. The University will respond effectively and in a timely manner to reasonable requests for explanations or interpretations of the content of Educational Records. If circumstances effectively prevent the Student from exercising the right to inspect and review the Student's Education Records, the University will:
  - a. At the Student's expense (not to exceed the University's actual cost), provide a copy of the Educational Record content requested; or
  - b. Make other workable arrangements for the Student to inspect and review the requested records.

### B. Limitations

1. If a requested portion of an Education Record contains information regarding more than one Student, the requesting Student may only inspect, review, seek to amend, or be informed of information specific to that Student. Additionally, Educational Records made available for inspection and review by a Student will not include any of the following:
  - a. Financial records, including parental financial information;
  - b. Confidential letters or statements of recommendation placed in Educational Records prior to January 1, 1975, provided that the letters and statements were solicited with a written assurance of confidentiality, or sent and retained with a documented understanding of confidentiality, and are used only for the purpose for which they were specifically intended;
  - c. Confidential letters or statements of recommendation placed in Educational Records on or after January 1, 1975 regarding admission, an application for employment, or the receipt of an honor or honorary recognition, provided that the Student has waived their right in writing to inspect and review those letters or statements of recommendation.
2. A Student or person applying for admission may waive their right in writing to inspect and review the confidential letters or statements of recommendation described above, except that the waiver may apply to confidential letters and statements only if i) the applicant or Student is, upon request, notified of the names of all individuals providing the letters or statements; and ii) such letters or statements are used solely for the purpose for which they were originally intended. Such waivers are not required as a condition of admission to or receipt of any other service or benefit from the University and may be revoked in writing at any time with respect to actions occurring after the revocation.

### C. Right to Amend

1. If a Student believes their Educational Records contain information that is inaccurate, misleading, or in violation of their rights to privacy, the Student will have the right to challenge the objectionable content.
2. When such circumstances arise, the University encourages the Student and the University official(s) most directly responsible for the portion of the Educational Record at issue to first attempt to resolve the matter informally through reasoned discourse. To begin, the Student should write to the appropriate official to clearly identify the part of their Educational Record they believe should be amended and to explain why they believe the record is inaccurate, misleading, or in violation of their rights to privacy.

3. When receiving such requests, the University official(s) most directly responsible for the disputed information will review the Student's submission and notify the Student in writing of their decision and its supporting rationale within a reasonable timeframe, not to exceed thirty (30) calendar days.
4. A Student who is dissatisfied with the University official's decision in response to their request to address situations involving Educational Record information the Student believes to be inaccurate, misleading, or in violation of their rights to privacy will have the right to request a hearing to resolve the matter as outlined in the *Educational Record Hearing Procedures* that accompany this policy.
5. When the University decides that the challenged information contained in an Educational Record is inaccurate, misleading, or otherwise in violation of a Student's privacy rights, the Provost or the Vice President for Student Affairs, as appropriate, will direct the relevant office or official to i) amend the Educational Record accordingly; and ii) will inform the Student of the decision in writing and provide a copy (at University expense) of the amended portion of the Educational Record.
6. When the University decides that information contained in an Educational Record challenged by a Student is not inaccurate, misleading, or otherwise in violation of the Student's privacy rights, the Provost or the Vice President for Student Affairs, as appropriate, will i) inform the Student of the decision; and ii) will inform the Student of their right to place a statement in their Educational Record commenting on the contested information and/or stating the reasons why the Student disagrees with the University's decision. The University will maintain the Student's statement with the contested part of the Educational Record and disclose the Student's statement whenever it discloses the portion of the record to which the statement relates.

#### D. Disclosure

1. The University will not disclose to any third party personally identifiable information from a Student's Educational Records (other than Directory Information, unless its disclosure has been restricted in writing by the Student) without the Student's written consent, other than to the following persons or entities or in the described circumstances:
  - a. University officials who have a legitimate education interest or need for the information;
  - b. Other educational institutions in which the Student seeks to enroll, is enrolled, or from which the Student seeks to or receives services;
  - c. Authorized representatives of the Comptroller General of the United States, the Secretary of Health, Education and Welfare, the U.S. Commissioner of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, and State of Arizona educational authorities;
  - d. In connection with a Student's application for, or receipt of, financial aid, provided that such disclosure is necessary to determine eligibility, amount, conditions, or enforcement of financial aid terms or conditions;
  - e. When required by and in accordance with applicable federal or state law or regulation or valid judicial order, or lawfully issued subpoena, upon the condition that the University makes a reasonable effort to notify the Student of the order or subpoena in advance of the University's compliance therewith;
  - f. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student financial aid programs, and improving instruction, if i) such studies are conducted in a manner that will not permit the personal identification of students or their parents by persons other than representatives of such organizations; and ii) such information will be destroyed when no longer needed for the purpose for which it is collected;



## G. Annual Notification

The University will provide notification to Students of their rights pursuant to the Family Educational Rights and Privacy Act via the annual publication of the *Student Handbook*.

## H. Public Records Requests

Pursuant to Arizona's public records law ([§ 39-121 et seq.](#)), the University may be required to provide information under its control to a third party. Confidential Student information protected by FERPA or other applicable law that protect Student privacy will not be disclosed in response to a public records request.

## I. Complaints

A Student may file a written complaint with the U.S. Department of Education Student Privacy Policy Office regarding an alleged violation of FERPA by the University. The address is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920  
800-872-5327

## J. Construction

In the event of a conflict or inconsistency between this policy and any applicable law or regulation, the law or regulation will prevail.

## RESPONSIBILITIES

**Educational Record Administrators**: respond to requests to inspect and amend a Student's Educational Records as directed by an Educational Record hearing panel in accordance with this policy.

## PROCEDURES

[Educational Record Hearing Procedures](#)

## RELATED INFORMATION

### Forms or Tools

[Application to Inspect and Review Educational Records](#)

[Request to Amend Educational Record](#)

### Cross-References

[Student Conduct Records](#)

[Student Handbook](#)

### Sources

[Family Educational Rights and Privacy Act](#)

[Family Educational Rights and Privacy Federal Regulations](#)

## APPENDIX\*

[Northern Arizona University FERPA Website](#)

[U.S. Department of Education Student Privacy Website](#)

[U.S. Department of Education Parents' Guide to the Family Educational Rights and Privacy Act](#)

\*Disclaimer: all documents, links, or other materials included in this policy's appendix are provided solely for the user's convenience and are not part of official University policy.

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