SOUTHERN MISS AND FERPA COMPLIANCE POLICY

Policy Statement

The University of Southern Mississippi, consistent with the regulations of the Family Education Rights and Privacy Act as amended in 1974, ensures students the right to inspect and review their educational records within 45 days from the time of the request.

Reason for Policy/Purpose

This policy is required for the effective communication of university policy regarding FERPA compliance.

Who Needs to Know This Policy

All members of The University of Southern Mississippi community.

Website Address for this Policy

www.usm.edu/institutional-policies/policy-stua-reg-001

Definitions

Policy/Procedures

In addition, the law prohibits the release of personally identifiable information without the student's permission, with the following exceptions:

- To University of Southern Mississippi school officials who have a legitimate educational interest. The University of Southern Mississippi considers a school official to have a
legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- To federal, state, and local authorities involving an audit or evaluation of compliance with educational programs.
- To a parent of dependent students for income tax purposes as defined by section 152 of the IRS code of 1954. A 1040 form may be appropriate.
- In a health or safety emergency.
- To comply with a judicial order or subpoena.
- In connection with Financial Aid including Veteran benefits.
- To the alleged victim of any crime or violence, as described in section 16 of title 18, United States Code.
- To organizations, persons, or company with whom the University has contracted; individuals serving on the Institution of Higher Learning Board; students serving on an official committee; a person assisting another school official in performing his/her task.
- When an individual with an education record is deceased.
- Designated officials as defined by the Patriot Act of 2001.
- Information deemed by the University as directory information.
- The University of Southern Mississippi has designated the following items as directory information:
  1. Student’s Name
  2. Address
  3. Telephone Number
  4. E-mail Address
  5. Major
  6. Dates of Attendance
  7. Classification
  8. Degree(s) Earned
  9. Previous Institutions Attended
  10. Participation in Student Organizations
  11. Participation in University recognized organization and activities
  12. Weight and height of athletic team member
  13. Honors and awards
  14. Student’s photo
  15. Dean’s/President’s List

- A student must request the University not to release directory information; however, you should consider the consequences of that action before making the decision to do so. If you choose to have directory information withheld, you should complete a written request provided by the Office of the Registrar located in Kennard-Washington Hall, Room 110.
- The University reserves the right to deny copies of records, including transcripts, not required to be made available if student has an unpaid balance to the University.

RELEASE OF EDUCATION RECORDS

The University is authorized to provide access to student records to campus officials and employees who have legitimate educational interest in such access, without the student's written
consent. These persons are those who have responsibilities in connection with campus academic, administrative or service functions and who have reason for using student records connected with their campus or other related academic/administrative responsibilities as opposed to a personal or private interest. Such determination will be made on a case-by-case basis.

University officials will release educational information upon receipt of a signed, dated, written consent of the student which must specify the records that may be disclosed and identify the party to whom the disclosure may be made.

To officials of another school, school system, or an institution of postsecondary education where the student seeks admission or is enrolled.

Parents of a dependent student, as defined by the Internal Revenue Code of 1954, Section 152, and who supply supporting documentation, may be granted access to a student's educational record under some circumstances.

Other circumstances that allow access to a student's educational record:

In connection with Financial Aid; to organizations who are conducting studies on behalf of educational agencies; to federal or state educational authorities; to accrediting organizations; in compliance with a lawfully issued subpoena; in connection with a health or safety emergency. In the course of fulfilling its contractual obligations with third party vendors contracted with the University. In this capacity, the third party vendor is acting as a legal agent (“school official”) of the university and will use the confidential information for the purposes stated in the agreement. Currently, the university has entered into agreements with, but not limited to, the following vendors:

- Aramark Food Services
- Barnes and Nobles Bookstore iModules
- Harris Connect
- Higher One
- ACS - American Computer Services, INC.
- National Student Clearinghouse
- The University of Southern Mississippi Foundation
- The University of Southern Mississippi Alumni Association
- The University of Southern Mississippi Athletics Foundation

The right to inspect and review all materials in your file(s) except items not considered an educational record as follows:

- Sole possession records or private notes held by school officials.
- Law enforcement or campus police security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit.
- Confidential letters and recommendations placed in students' files prior to January 1, 1975, provided these letters were collected under established policies of confidentiality and were used only for the purposes for which specifically collected.
- Confidential letters and statements of recommendation, placed in students' records after January 1, 1975, to which the student has waived his/her right to inspect and that are
related to the students' admission, application for employment or job placement, or receipt of honors. Education records containing information about more than one student; however, in such cases the institution must permit access to that part of the record which pertains only to the inquiring student.

- Records relating to treatment provided by a physician, psychiatrist, psychologist, or other recognized professionals or paraprofessionals and disclosed only to individuals providing treatment(s).

FERPA afford individuals the opportunity to challenge or amend his/her education record if inaccurate, misleading, or in violation of privacy or other rights of the student. The student may submit a written request to the Registrar's Office that the record be amended or the FERPA violation be investigated. The University Registrar's Office is located in Kennard-Washington Hall, Room 110.

Within 60 days of receipt of the written request, the University will inform the student as to whether the record will be amended. The request should include justification for the challenge. A grade may be challenged on the grounds that it was inaccurately recorded.

If the decision is negative, the student may submit a written request for a hearing in order to challenge the content of the record(s). The hearing committee will inform the student of the date, place, and time of the hearing.

Challenges and requests for a hearing must be in writing and should be directed to the Office of the University Registrar.

**School officials' responsibility regarding privacy of students' records.**

- A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted; student serving on an official committee, such as a disciplinary committee or a person assisting another school official in performing his or her tasks.
- It is the responsibility of each school official to understand his or her legal responsibilities under FERPA. These include maintaining the privacy of students' grades for any course or for any activity which is part of a course.
- This policy is violated if a student's grade is (1) openly mentioned in class; (2) publically posted in a personally identifiable manner such as social security number or student identification number; (3) paper, test, or projects in public view (4) released over the telephone or electronically to any person other than the student or his/her designee with written consent.
- Disclosure of a student's grades by a faculty member may be made only in a manner that makes the grades identifiable only to the faculty member and the student.
- Upon completion of training, school officials will be provided documentation he/she realizes disclosure of non-directory information violates FERPA and places the University at risk of losing federal funding.
Individuals have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

Questions about the policies and procedures about the University's "Policy on Student Records" or about the Family Educational Rights and Privacy Act of 1974, should be directed to:

Attn: Greg Pierce, University Registrar  
The University of Southern Mississippi  
118 College Drive #5006  
Hattiesburg, MS 39406-0001  
Telephone number: 601-266-5006

**Review**

The Registrar is responsible for the review of this policy every four years (or whenever circumstances require immediate review).

**Forms/Instructions**

N/A

**Appendices**

N/A

**Related Information**

N/A

**History**

11/01/11: Formatted for Institutional Policies page.  
02/26/13: Formatted for template. Minor editing throughout.  
**Amendments:** Month, Day, Year – summary of changes
Authorization

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STUA-REG-000-001

As the Responsible Officer, I have reviewed this policy and believe it represents the current policy.

[Signature]

Responsible Officer

[Date]

3-5-13