POLICY ON STUDENT RECORDS

The Family Educational Rights and Privacy Act of 1974 (FERPA; Section 438 of the General Education Provisions Act) as amended is the federal law governing individuals' access to student records. The guiding principle of FERPA is that education records are private and that students have the right to limit their disclosure to third parties. FERPA grants students the right to inspect and review their education records, the right to request to amend their education records and the right to limit disclosure of some personally identifiable information known as directory information. In compliance with FERPA, the following constitutes the university's policy instructing students of the procedures available to provide appropriate access to personal records while protecting the confidentiality of these records.

For purposes of FERPA, "education records" are all records which contain information directly related to a student and maintained by Canisius University. Records that are not "education records" include, but are not limited to, sole possession, law enforcement, employment, medical and counseling, and post-attendance records. Please note that this policy does not apply to student records and files retained by individual faculty/staff members which are not accessible to any other person except a substitute designated by the faculty/staff member. A "student" is defined as one who has attended or is attending Canisius University and regarding whom Canisius University maintains education records.

All students have records in the student records office, but additionally, students may also have records in the following places:

- Dean and/or Associate Deans of the Division of Arts, Education & Sciences and the Division of Business, Communication & Health Studies
- Office of Student Affairs
- Student Health Center
- Office of Residence Life
- Departmental offices

Normally, education records will not be released — nor access given — to third parties without written consent of the student unless the party meets one of the following:

- To school officials (faculty and staff) who have a legitimate educational interest in the records. The determination of those who have "a legitimate need to know" will be made by the person responsible for the maintenance of the record. This determination must be made scrupulously and with respect for the individual whose record is involved.
- To federal, state and local officials involving an audit or evaluation of compliance with educational programs.
- To anyone who is providing financial aid to the student ("financial aid" does not include any payments made by parents).
- To organizations conducting certain studies for or on behalf of the university.
- To accrediting organizations to carry out their functions.
- To comply with a judicial order or a lawfully issued subpoena.
- To parents of a dependent student.
- To appropriate parties in a health or safety emergency.
- To schools in which a student seeks or intends to enroll.
- To an alleged victim of a crime of violence of the results of a disciplinary hearing regarding the alleged perpetrator of that crime with respect to that crime.
- To parents/legal guardian when their children (under age 21) are found to have violated the Canisius University alcohol or drug policy.
- To military recruiters who request "Student Recruiting Information" for recruiting purpose only.
- To the Internal Revenue Service (IRS) for purposes of complying with the Taxpayer Relief Act of 1997.
- To the Bureau of Citizenship and Immigration Services (BCIS) for purposes of the Student and Exchange Visitor Program.
- To authorized representatives of the Department of Veterans Affairs for students receiving educational assistance from the agency.

It should be noted that FERPA permits the disclosure of education records to the parents of a dependent student. The university, however, considers its students to be adult decision-makers; as such, students have the right and responsibility to share information about their grades and degree pursuit with their parents and/or guardians. This means that the staff of the university normally will not give out information about grades or degree pursuit and will instead suggest that parents or guardians have conversations directly with students about these matters. The university's policy provides a greater degree of privacy for dependent students than FERPA would require. If the student agrees to have this information released to the parents, the student must sign an Authorization to Disclose Grades form with the Student Records and Financial Services Center, Science Hall 3rd Floor. A student may authorize the release of specified records to other specific individuals. A notification of releases made to third parties must be kept in the student's record. This notification is open only to the student and the person in charge of the record. The third party must be informed that no release of personally identifiable data is authorized without the written consent of the student.

A notification of releases made to third parties shall be kept in the student's record (unless forbidden by a judicial order or subpoena). The third party shall be informed that no release of personally identifiable data is authorized without the written consent of the student.

The university has established the following procedures enabling students to have access to their records:

1. The student may see their record by filling out a request form at the office where the record of interest is maintained. Students may not inspect and review the following:
   - Financial information submitted by parents.
   - Confidential letters and recommendations placed in their files prior to January 1, 1975.
   - Confidential letters and statements of recommendation placed in records after January 1, 1975, to which the student has waived his or her right to inspect and review.
   - Education records containing information about more than one student; however, in such cases, students will be given access to the part of the record which pertains only to the inquiring student.
   - Employment records kept in the normal course of business which relate exclusively to students as employees.
   - Medical records kept in the Student Health Center. This office rigidly protects the confidentiality of those records, but they can be reviewed by a physician or an appropriate professional of the student-patient's choice.
2. Access is to be granted promptly and no later than 30 days from the date of the request.

3. The student may obtain copies of documents to which he or she is entitled, by requesting the documents in writing. The university may charge for these copies.
4. The student may request and receive interpretation of his or her record from the person (or designee) responsible for maintaining the record.

Students have the right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or inappropriate. The process includes an opportunity for amendment of the records or insertion of written explanations by the student into such records. The procedures for challenging records can be found in the Student Records and Financial Services Center, Science Hall 3rd Floor.

Unlike education records, directory information shall be released freely unless the student files the appropriate form requesting that certain information may not be released. This form is available at the Student Records and Financial Services Center, Science Hall 3rd Floor. Directory information includes but is not limited to name, address, e-mail address, phone number, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards, received and most recent education agency or institution attended.

This policy does not preclude the destruction of any record that the university does not consider germane. Persons in charge of records shall ensure that only pertinent items are retained in student files. The forms for “Request for Confidential Status of Directory Information” and “Authorization to Disclose Grades” shall be removed from a student’s educational records upon graduation unless the student makes a specific request that these forms remain.