

STANDARD ADMINISTRATIVE PROCEDURE

13.02.99.M0.01 Student Records

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Standard Administrative Procedure Statement

Student records at Texas A&M University will be maintained in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and the Texas Public Information Act. All rights and protection provided under FERPA and this procedure belong to the student.

Official Procedure

1. RIGHTS AND PROTECTIONS

- 1.1. Students have the right to be informed annually of their rights under FERPA.
- 1.2. Students have the right to inspect and review, with certain limited exceptions, their education records. This includes an explanation and interpretation of the records. For information on the location of student records, see [Attachment A](#).
- 1.3. Students have the right to request an amendment to their education records when those records are inaccurate, misleading, or in violation of FERPA.
- 1.4. Students have the right to exercise limited control over access by others to their education records.
- 1.5. Students have the right to report violations of FERPA to the United States Department of Education.
- 1.6. Students may waive in writing the right of access to confidential letters of recommendation in the areas of admissions, job placement, and receipt of awards.
- 1.7. A student's written consent shall be obtained before personal information (e.g., grade point average, academic progress, personal conduct, etc.) is released. For exceptions to the requirement of student consent, see Section 3 of this procedure.

2. ACCESS TO STUDENT EDUCATION RECORDS

- 2.1. The University will respond to all requests for records and provide explanations and interpretations of records in compliance with FERPA regulations.
- 2.2. All students and former students of the University have the right of access to their education records as defined by FERPA. (For more information on records not accessible to students, see Section 4 of this procedure.)
- 2.3. Parents may be provided student record information without the student's written consent if they certify in writing that the student is a financial dependent as defined in the Internal Revenue Code of 1986. This certification must be verified by the appropriate University office(s).
- 2.4. The University will not permit access to or release of personally identifiable information except to:
 - 2.4.1. University officials with a legitimate educational interest. A University official has a legitimate educational interest if the official needs access to a record in order to fulfill their professional responsibilities for the University.
 - 2.4.1.1. A contractor, consultant, volunteer, or other party to whom the University has outsourced institutional services or functions may be considered a University official provided the outside party
 - 2.4.1.1.1. Performs an institutional service or function for which the University would otherwise use employees;
 - 2.4.1.1.2. Is under the direct control of the University with respect to the use and maintenance of education records; and
 - 2.4.1.1.3. Is subject to the FERPA requirements governing the use and redisclosure of personally identifiable information from education records.
 - 2.4.1.2. The University will use reasonable methods to ensure that University officials obtain access to only those education records in which they have legitimate educational interests, including physical/technological access controls, and/or through its administrative policy.
 - 2.4.1.3. The University's annual notification of FERPA rights must include the parties listed in 2.4.1.1 as University officials if these non-employees perform institutional services or functions.
- 2.5. Appropriate University officials in cases of health or safety emergencies if:
 - 2.5.1. the seriousness of the threat to the health or safety of the student or other persons warrants the release of the information,
 - 2.5.2. the information is essential to meet the emergency, and
 - 2.5.3. the persons to whom the information is to be disclosed are qualified, and in a position to handle the emergency.
- 2.6. Officials of other educational institutions in which a student intends or seeks to enroll

or is currently in attendance as long as the disclosure is for purposes related to the student's enrollment or transfer. The University's annual notification of FERPA rights must include a notice that education records are disclosed under these circumstances, or a reasonable attempt must be made to notify the student in writing of the information released. Students shall be provided a copy of the disclosed information, if requested.

- 2.7. Authorized representatives of the Comptroller General of the United States; the U.S Attorney General, the U.S Secretary of Education; administrative heads of educational agencies; and state educational authorities.
- 2.8. Persons needing this information in connection with a student's application for, or receipt of, financial aid, if the information is necessary to determine eligibility for the aid, determine the amount of aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- 2.9. State and local officials to whom state laws require information to be reported.
- 2.10. Such organizations as Educational Testing Service and College Entrance Examination Board in connection with developing, validating, or administering predictive tests; administering student aid programs; and improving instruction. These organizations must not present the information to outsiders and must destroy such information when it is no longer needed for audit or evaluation purposes and/or enforcement of federal legal requirements.
- 2.11. Accrediting organizations.
- 2.12. Individuals requiring such information by judicial order or lawfully issued subpoena; however, in most cases a reasonable attempt must be made by the University to notify the student in writing of judicial orders and subpoenas before release of the information. Exceptions to reasonable notification will be made in accordance with FERPA.
- 2.13. The alleged victim of any crime of violence, as that term is defined in section 16 of title 18, United States Code, of the final results of any disciplinary proceeding conducted by an institution of post-secondary education against the alleged perpetrator of that crime with respect to that crime.

3. RECORDS NOT ACCESSIBLE TO STUDENTS

- 3.1. Students shall have access to all of their individual University education records except:
 - 3.1.1. Financial records of and statements made by a student's parent(s).
 - 3.1.2. Confidential letters and statements of recommendation placed in a student's education records before January 1, 1975.
 - 3.1.3. Confidential letters and statements of recommendation placed in a student's education records on or after January 1, 1975, if the student has waived the right to inspect and review the letters or statements.
 - 3.1.4. Records concerning admission to an academic unit (e.g., college, department, program, etc.) of the University that the student has never attended.
- 3.2. The following are not 'education records' but may be accessed if authorized under the

Texas Public Information Act or other applicable law:

- 3.2.1. Personal records kept by a University faculty or staff member when:
 - 3.2.1.1. the record is in the possession of the person who made it, and
 - 3.2.1.2. the information in the record has not been revealed to or made available to any other person except a temporary substitute.
- 3.2.2. An employment record that is used only in relation to a student's employment by the University, except when a person in attendance at the University is employed as a result of the person's status as a student.
- 3.2.3. Physician, psychiatrist, psychologist, or other professional or paraprofessional records used in connection with providing treatment to a student that are not disclosed to anyone other than the person(s) providing the treatment.

4. INSPECTING RECORDS

- 4.1. The University encourages students to inspect and review their education records whenever they feel an inspection is needed.
- 4.2. A student should inspect records in their original form and within the context of the complete record; however, in some cases, it might be more convenient for the record custodian to provide the student with copies of the records.
- 4.3. Students who want to inspect education records should submit a written request to the appropriate record custodian. The written request should identify as precisely as possible the records the student wishes to inspect. (For more information on record custodians, see [Attachment A.](#))
- 4.4. The records custodian will respond to the student to address the following issues:
 - 4.4.1. method of records access (i.e., inspection at the storage location, inspection at an alternate location, or copies of records),
 - 4.4.2. convenient inspection times,
 - 4.4.3. time needed for inspecting the records,
 - 4.4.4. resource person availability for record explanations if requested by the student during the records inspection, and
 - 4.4.5. inspection arrangements to assure the security and safety of the records.
- 4.5. The record custodian will make inspection arrangements and notify the student of the time and location. Record inspection must be completed within 45 days from the receipt of the request.
- 4.6. A student who cannot inspect education records at a storage location or alternate location for such reasons as work hours, distance between record location sites, or health will be provided copies of the record for a fee. (For information on copying fees, see Section 5 of this procedure.)
- 4.7. A student inspecting education records will not have access to education records of other students.

5. COPYING RECORDS

- 5.1. The University will provide a student copies of education records upon payment of published fees. These fees may be waived in part or entirely by the record custodian when a fee represents an unusual financial hardship. However, the University reserves the right to charge for official University documents (e.g., transcripts) provided to potential employers or colleges and universities and to provide access only, and not copies of, certain sensitive documents.
- 5.2. Copying fees have been established by the Registrar's Office and will be reviewed annually to ensure they accurately reflect the costs of reproduction. These fees are based on copying costs only, as FERPA does not permit fees for search and retrieval of information. Copying fees are listed below:
 - 5.2.1. All orders of official transcripts will cost \$10.00.
 - 5.2.2. A single copy of any or all other documents will be provided free of charge.
- 5.3. The University will furnish copies of records free of charge when a written request to change the record is submitted to the appropriate administrator and the record is amended as a result.
- 5.4. The appropriate administrator may deny copies of records when:
 - 5.4.1. a student has an unpaid financial obligation to the school, or
 - 5.4.2. an unresolved disciplinary action exists against a student warrants denial of copies.

6. CHALLENGING RECORDS

Students have the right to a hearing for the purpose of challenging education records and information directly related to them. Such challenges are restricted to information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights.

6.1. Initial Hearing

- 6.1.1. Any student wishing to challenge records or student-related information must notify the appropriate record custodian. (For more information on record custodians, see [Attachment A.](#)) The notice must be written and specifically identify the item challenged and the basis for the challenge.
- 6.1.2. The record custodian will arrange the initial hearing.
- 6.1.3. All initial hearings will be informal. The participants will be the custodian of the challenged records or information, the student, and the author of the material (if appropriate).
- 6.1.4. If the record custodian determines the information is inaccurate, misleading, or in violation of the privacy or other rights of the student, the records will be amended and all interested parties informed in writing of the amendment.

6.2. Formal Hearing

- 6.2.1. If the student is not satisfied with the results of the informal hearing, or if the record

custodian believes the record is correct, the student will be asked to initiate a request for a formal hearing. To assist the student, the record custodian will provide him/her a copy of the record in question at no cost.

- 6.2.2. The hearing will be conducted within seven (7) business days of the student's request. It will be administered by a University official who does not have a direct interest in the outcome of the hearing. The hearing official shall be appointed by the vice president to whom the record custodian reports.
- 6.2.3. Inaccurate, misleading, or inappropriate information contained in the records may be corrected or deleted during the hearing, or a written explanation may be inserted into the records stating that the student accepts the content of the challenged records.
- 6.2.4. The student will be provided the opportunity to present evidence supporting the challenge of the content of the education records.
- 6.2.5. A written decision will be rendered by the hearing official to all involved parties within seven (7) business days of the conclusion of the hearing.
 - 6.2.5.1. If any information in the records is determined to be inaccurate, misleading, or inappropriate, the education records of the student shall be amended with the correct information, and the student shall be notified in writing of the change.
 - 6.2.5.2. If the information in the record is determined to be correct, the University shall inform the student of the student's right to place a statement in the education records commenting on the information in the records, and/or presenting any reasons for disagreeing with the University's decision.
 - 6.2.5.3. Any statement placed in the education record shall remain a part of the record or contested part of the record for as long as the record is maintained by the University. If the contested portion of the education record is disclosed by the University to any party, the statement shall also be disclosed to that party.

7. DESTROYING RECORDS

Texas A&M University maintains records in accordance with the [Records Retention Schedule](#) of The Texas A&M University System.

8. STUDENT DIRECTORY INFORMATION RELEASES

The University can release “directory information” such as name, local and permanent addresses, local and permanent telephone numbers, email address, dates of attendance, program of study, classification, participation in officially recognized activities and sports, degrees, honors and awards received, previous institutions attended, and medical residence location and specialization without prior approval of the student. A complete listing of directory information is published in the academic catalog. Students may request this information be withheld at <https://howdy.tamu.edu>.

Related Statutes, Policies, or Requirements

[Family Educational Rights and Privacy Act \(FERPA\)](#)

[System Policy 13.02, *Student Rights and Obligations*](#)

[System Regulation 16.01.02, *Privacy*](#)

[TAMU Rule 16.01.02.M1, *FERPA Compliance*](#)

Contact Office

[Office of the Registrar](#)

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