

# UAMS Academic Affairs Policy - 2.1.2



UNIVERSITY OF ARKANSAS  
FOR MEDICAL SCIENCES

**Policy:** University of Arkansas for Medical Sciences, Division of Academic Affairs  
**Subject:** Family Educational Rights and Privacy Act (FERPA)  
**Number:** 2.1.2

**Date Approved (Council of Deans, Provost):** August 24, 2012

**Date Effective:** August 24, 2012

**Last Review/Revision:** July 18, 2016

**Next Review/Revision:** July 18, 2018

**Policy:** The Family Educational Rights and Privacy Act of 1974 (FERPA) affords all students in higher education institutions certain rights with respect to their education records. Some of these rights are only applicable to students over 18 years of age.

A. UAMS observes FERPA regulations through the following rights:

1. The right to inspect and review the student's education records within 45 days after the day that the University of Arkansas for Medical Sciences (UAMS) receives a request for access. A student should submit to the dean's office or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. This right refers to information that the student feels has been documented incorrectly, and is not an avenue to challenge whether a grade or other form of evaluation is appropriate. A student should submit to the Associate Provost for Academic Administration a written request that identifies the information the student believes to be incorrect as well as the reasoning behind the perceived inaccuracies. The appropriate College official will make arrangements to review and, if necessary, correct the information in question.

The College will notify the student in writing of its decision and provide information regarding the student's right to a hearing regarding the request for amendment if that

# UAMS Academic Affairs Policy - 2.1.2

request was denied. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

UAMS discloses education records without student prior written consent to university officials outside the college who have a legitimate educational interest in some or all of the information. A university official is a person employed by UAMS in an administrative, supervisory, academic, research, or support staff position. Generally, the UAMS officials who will have most routine access are those in Academic Affairs, Student and Employee Health, Campus Security, Student Affairs and Information Technology. Officials will have access to student PII only on an as needed basis, and not necessarily the entire student record. UAMS will also grant access to other university officials who require the information in order to fulfill his or her professional responsibilities as authorized by FERPA.

Other officials who may require access to some or all of the student record include officials at the University of Arkansas System, a person serving on the University Of Arkansas Board Of Trustees; or a student or faculty member serving on an official committee, such as a disciplinary or grievance committee. UAMS may also share student records with a volunteer or contractor outside of UAMS who performs an institutional service or function for which the university would otherwise use its own employees and who is under the direct control of the university with respect to the use and maintenance of PII from education records, such as an IT contractor, attorney, auditor, or collection agent or a student volunteering to assist another university official in performing his or her tasks.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UAMS 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

5. The right to restrict disclosure of directory information. Directory information includes but is not limited to now or in the future, the student's name; address; telephone listing; UAMS electronic mail address; photograph; date and place of birth; major field of study; grade level; year in program, enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; degrees, honors and awards received; date of graduation, and the most recent educational agency or institution attended.

Directory information of students at UAMS is subject to public disclosure until and unless the student presents a signed Hold Directory Form (see attachment), indicating

# UAMS Academic Affairs Policy - 2.1.2

the he/she does not authorize such disclosure. The student must select RESTRICT on the form, sign and date it, and submit it to his/her respective dean's office. The restriction will remain in effect until the student signs a release.

## B. Notification and Disclosures

UAMS will provide an annual notification to students regarding its FERPA policy and instructions on how to restrict the disclosure of directory information. UAMS reserves the right to disclose PII from students' records without consent for the following reasons, as outlined in FERPA regulations:

1. To other university officials, including teachers, within UAMS whom the university has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the university has outsourced institutional services or functions.
2. To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to requirements of 99.35 in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
5. To organizations conducting studies for, or on behalf of, the university, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
6. To accrediting organizations to carry out their accrediting functions.
7. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
8. Information the school has designated as "directory information" under §99.37.

# UAMS Academic Affairs Policy - 2.1.2

(§99.31(a)(11))

9. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
10. To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
11. To appropriate officials in connection with a health or safety emergency.
12. To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the university, governing the use or possession of alcohol or a controlled substance if the university determines the student committed a disciplinary violation and the student is under the age of 21.

## **Procedure:**

1. UAMS will release directory information for all students unless otherwise instructed by a student through a signed Directory Hold Form that restricts disclosure of information. It is the student's responsibility to complete and submit the signed form.
2. A student may submit a hold directory information request at any time during the academic year; however, the request can only be honored for future publication and cannot be applied retroactively.
3. Each college will provide a copy of UAMS' FERPA Policy to all enrolled students on an annual basis.
4. Colleges will include the UAMS FERPA Policy in their Catalogs or Student Handbooks.
5. A student's acknowledgment of their responsibility to the information contained in the catalog or handbook serves as annual notice of UAMS' FERPA policies.