

# CONFIDENTIALITY AND PRIVACY OF STUDENT RECORDS - FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Creighton University's policy relating to the confidentiality and privacy of student records is in keeping with the Family Educational Rights and Privacy Act (FERPA). Information about students or former students will not be released without the consent of the student other than in the exceptions stated in the Federal Act. FERPA affords students certain rights with respect to their educational records. They are:

## **The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.**

Students should submit to the Registrar, Dean, Department Chair, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The University official will make arrangements for, and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

## **The right to request the amendment of the student's education records that the student believes is inaccurate or misleading.**

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identifying the part of the record they want changed and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

## **The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosures without consent.**

One exception that permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including Public Safety personnel and Student Health staff); a person or company with whom the University has contracted (such as an attorney, auditor, collection agency, and the National Student Clearinghouse); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

Generally, schools must have written permission from the student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- Other schools to which a student is requesting transfer or enrollment
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- To a parent of a student under the age of 21 concerning the student's violation of any law or policy regarding the use or possession of alcohol or a controlled substance
- Appropriate officials in cases of health and safety emergencies
- Disclosures to the student

FERPA permits disclosure of education record information to a student's parent or guardian if the student is their dependent for federal tax purposes. To rely on the exception, the University must verify a student's dependent status by asking the student for confirmation or by asking the parent/guardian to provide a copy of the portion of their tax return showing they claimed the student as a dependent. Students may grant their parents or another third party access to their academic records by following the procedure on their N.E.S.T. account.

FERPA also allows the University to disclose directory information without the written consent of the student. Directory information is information contained in an education record of a student which generally would not be considered harmful or an invasion of privacy if disclosed. Directory information includes the student's full name, the fact that the student is or has been enrolled, full-time/part-time status, local and permanent address(es), e-mail address(es), telephone number(s), date and place of birth, dates of attendance, division (school or college), class, major field(s) of study and/or curriculum, expected graduation date, degrees and awards received, participation in officially recognized activities and sports, weight and height of members of athletic teams, photographs, and previous educational agency or institution attended by the student.

A currently enrolled student may request any or all directory information not be released by indicating this on their N.E.S.T. account. The restriction shall not apply to directory information already published or in the process of being published. Once the student has designated a confidential classification, it will not be removed until the student indicates this through their N.E.S.T. account or submits a signed request to the Registrar's Office.

## **The right to file a complaint with the U.S. Department of Education concerning alleged failures by Creighton University to comply with requirements of FERPA.**

The name and address of the office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

## **Location, Types, and Custody of Education Records**

Following is a listing of the location and types of education records and the office of the respective official responsible:

### **Registrar's Office (Old Gym, Suite 230)**

- School officials with legitimate educational interest

- Application for admission and supporting documents, including standardized test scores, transcripts of academic work completed elsewhere
- Cumulative academic records
- Academic action reports
- Correspondence, etc.

**School or College Dean's Office**

- Records will vary with Dean's Office, but may include records and reports in original or copy form, generally comparable to those maintained by Registrar
- Academic progress reports, evaluations and related actions
- Attendance data
- Correspondence, etc.

**Academic Advisor's Office**

- Cumulative files containing academic information are maintained by some academic departments and by some faculty advisors concerning their advisees

**Athletic Department (Championship Center & Ryan Athletic Center)**

- Directory information
- Recruiting and eligibility records
- Performance statistics

**Global Engagement Office (Creighton Hall 324)**

- Records of international students
- Records of students who studied abroad

**Office of the Provost (Creighton Hall 236)**

- Academic misconduct records

**Community Standards and Student Conduct (Creighton Hall 224)**

- Disciplinary records

**Office of Title IX and Civil Rights Compliance (Creighton Hall 340)**

- Disciplinary records

**Department of Residential Life (Swanson Hall, Room 136)**

- Housing information
- Dining services information

**Student Accessibility Services (Old Gym, 4th floor)**

- SAS records

**Student Counseling Services (Markoe Hall)**

- Counseling records

**Student Financial Aid Office (Harper Center, Suite 1100)**

- Financial aid records

**Student Financial Services Office (Harper Center, Suite 1100)**

- Financial records, including those pertaining to tuition, fees, and student loans

**Student Health Education and Compliance (Kiewit Fitness Center, Room 225)**

- Medical records

**University Relations (Cardiac Center, Room 336)**

- Directory information and other personal data about former students and graduates, and their subsequent activities and achievements

**Vice Provost for Faculty and Academic Affairs (Creighton Hall 236)**

- Academic misconduct records

Questions concerning the Student Records Policy may be referred to the University Registrar, who is designated as the University Custodian of Student Records.