



**Policy: 01-43-00**

## **Privacy of Student Records**

OFFICE OF RECORD: Office of the Vice President for Academic Affairs

ISSUED BY: Registrar

POLICY NUMBER: 01-43-00

EFFECTIVE DATE: 09-12-88 (Last Revised 8-31-11)

### **Policy**

The Family Educational Rights and Privacy Act of 1974 is a federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students be made available. The law provides that the institution will maintain the confidentiality of each student's educational records. Educational records includes all records maintained by an educational institution, in any format, that expressly identifies the student.

Dakota State University accords all rights under the law to any person enrolled as a student. No individual or organization outside the institution shall have access to nor will the institution disclose information from the students' educational records without the written consent of students except in these instances:

1. in connection with an emergency, if necessary, to protect the health or safety of the student or other individuals.
  2. to officials of other institutions at which the student seeks or intends to enroll.
  3. in response to a judicial order or lawfully issued subpoena.
  4. in response to requests from parents / legal guardians (FERPA permits, but does not require, disclosure in two instances)—
    - a. The student is their dependent for federal tax purposes. The institution must verify the student's dependent status before releasing information.
    - b. Information regarding any violation of law or an institutional rule or policy governing the use or possession of alcohol or a controlled substance, if the institution has determined the student committed a disciplinary violation with respect to such use or possession and the student is under the age of 21 at the time the violation or possession occurred.
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5. to the following campus personnel: employees of the institution with an expressed educational interest in such information as designated by the President;
6. organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests for non-solicitous purposes;
7. persons or organizations providing student financial aid;
8. accrediting agencies carrying out their accreditation function.

## Procedures

**Student Records:** Within the University, only those members, individually or collectively, acting in the student's educational interest are allowed access to student records.

**Directory Information:** At its discretion, the institution may provide the following directory information in accordance with the provisions of the Family Rights and Privacy Act of 1974:

1. Publicly available directory information shall include a student's name, hometown, academic status (undergraduate, graduate or professional school), graduation date, diploma or degree, major field of study, and dates of attendance.
2. Institutions may identify additional information as nonpublic directory information to be made available to other students or institutional personnel. Such additional information may NOT be distributed to the public at large without specific written permission of each individual student. Distribution through password-protected electronic means shall be permitted so long as passwords are issued solely to students or institutional employees.
  - a. At Dakota State University, nonpublic directory information may include publicly available directory information listed in #1 above, plus the student's official, university electronic mail address (email).

**Withholding Directory Information:** Students may withhold public directory information by notifying the Office of the Registrar in writing. A form for requesting to withhold information, or to withdraw an earlier request, is available on the Office of the Registrar website or at the link below.

[Withhold Public Directory Information Form](#)