

# Chapter 9. Educational Records

## Subchapter 9–100. General Provisions

### Sec. 9–101. Purpose

The student educational records maintained by the University fall into two general categories: directory information and student records. The purpose of this chapter is to describe various kinds of educational records and to state the permissible uses of these records. These policies and procedures are in full accord with the final regulations implementing the Family Educational Rights and Privacy Act of 1974 (FERPA).

### Sec. 9–102. Confidentiality of Records

- a. Directory information: That part of a student's educational record defined as directory information in section 9–201 is public information. It will be made available to the public unless the student has restricted it as described in subsection 9–201(c).
- b. Student records: Student records include all educational records except for directory information and are not public records. The University will maintain the confidentiality of these student records as indicated in section 9–202.
- c. Information in a student's educational record may be released by the University as directed by the president in an emergency if the information is necessary to protect the health or safety of the student or other persons.

### Sec. 9–103. Information Not Recorded

No record will be kept that reflects a student's political attitudes, beliefs, or activities.

### Sec. 9–104. Definitions

In this chapter, unless the context requires a different meaning,

- a. "educational record" means the official record of a student that is maintained by the University for use by the University and includes directory information and student records. "Educational record" does not include the personal records of University personnel that are maintained in the sole possession of and for the sole use of the maker thereof or of a temporary substitute for the maker; the records of law enforcement units that are maintained solely for law enforcement purposes; employment records related exclusively to an individual's employment capacity (except as indicated in subsection 9–201[a]); medical and psychological records; thesis or research papers; or records that contain information about an individual only after the individual is no longer a student at the University.
- b. "student" means a person enrolled on or after the first class day of the initial semester of attendance or a person formerly enrolled at the University;
- c. "president" means the president of The University of Texas at Austin; and
- d. "University" means The University of Texas at Austin.

## Subchapter 9–200. Directory Information and Student Records

### Sec. 9–201. Directory Information

- a. "Directory information" is defined as a student's name, local and permanent addresses, electronic mail addresses, UT EID, telephone listing, place of birth, major field(s) of study, participation in officially recognized activities and sports, weight and height if a member of

an athletic team, dates of attendance, enrollment status, degrees, awards and honors received (including selection criteria), the most recent previous educational institution attended, job title and dates of employment when employed by the University in a position that requires student status, and other similar information. Other similar information includes a student's classification and expected date of graduation and student parking permit information.

- b. Directory information is public information and will be made available to the public unless the student has restricted it as described in subsection 9–201(c).
- c. A currently enrolled student may request that all or some directory information not be made public by completing an appropriate request online or in the Office of the Registrar. This request will remain in effect until revoked by the student. In the event of such a request, this restricted information will be treated as student records information as defined in subsection 9–202(a). In response to public inquiries, the University will state that the student has requested that the University not release part of the student's information; if the student has requested that all information be kept confidential, the University will state that the University has no information to provide regarding the person about whom the inquiry has been made.

### Sec. 9–202. Student Records

- a. Student records include educational records maintained by the University except for directory information. Student records include official University academic and personal records relating to scholastic, disciplinary, and fiscal matters, as well as records maintained by University offices and agencies that provide services sought voluntarily by individual students. The authorized use of and access to disciplinary records are described in subchapter 9–300 and subchapter 11–900 of the *Institutional Rules*. The University will not permit access to or the release of personally identifiable information contained in these records without the written consent of the student to any party other than the following:
  1. appropriate University administrators, faculty members, or staff members, appropriate administrators or staff members of the Texas Exes, and contractors or others acting on behalf of the University who require access to educational records in order to perform their legitimate educational duties, when such records are needed in furtherance of the educational or business purposes of the student or the University;
  2. officials of other schools in which the student seeks or intends to enroll, upon request of these officials, and upon the condition that the student be notified and receive a copy of the record if desired;
  3. federal, state, or local officials or agencies authorized by law;
  4. in connection with a student's application for, or receipt of, financial aid;
  5. accrediting organizations or organizations conducting educational studies, provided these organizations do not release personally identifiable data and provided they destroy such data when it is no longer needed for the purpose for which it was obtained. If the University discovers that an organization that has received student records from the University has released or failed to destroy such records in violation of this policy, it will prohibit access by that organization to educational records for five years;
  6. the parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954, provided a reasonable effort is made to notify the student in advance;
  7. in compliance with a judicial order or subpoena, provided a reasonable effort is made to notify the student in advance unless

the subpoena specifically directs the institution not to disclose the existence of a subpoena; or

8. to an alleged victim of any crime of violence or a nonforcible sexual offense, the results of the alleged perpetrator's disciplinary proceeding may be released.

The University will maintain, as part of a student's student record, a record of all parties who have obtained access to data in the record, except the parties listed in subsection 9–202(a)(1). The record of access will include the legitimate interest of the party in obtaining the information.

- b. Upon written request, the University will provide a student access to his or her records described in subsection 9–202(a), except for
  1. financial records of the student's parent or guardian; and
  2. confidential letters of recommendation placed in the student's educational record prior to January 1, 1975; and confidential letters of recommendation placed in the student's educational record after January 1, 1975, if the student has signed a waiver of the right of access to letters of recommendation.
- c. The official custodian of records at the University is the vice president and chief financial officer. Since the University does not maintain a central repository for student records, inquiries for access to specific student records should be made to the University office or agency concerned with the particular record. Requests for assistance in locating individual student records should be directed in writing to the custodian of records.
- d. A student may obtain copies of his or her records described in subsection 9–202(a) at a cost of ten cents per page, except for an official transcript of academic record, \$20, and an unofficial copy of the permanent academic record, \$20. Educational records covered by the Family Educational Rights and Privacy Act of 1974 (FERPA) normally will be made available within forty-five days of the request.
- e. A student may challenge the contents of his or her educational record on the grounds that the record is inaccurate, misleading, or otherwise in violation of his or her privacy rights. The student submits such a challenge by writing to the custodian of records. If the dispute cannot be resolved by informal proceedings, the student may request a formal hearing. The request for a hearing must be made in writing to the custodian of records. Within a reasonable period of time after receiving the request, the custodian of records will inform the student of the date, place, and time of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of the student's choice, including attorneys, at the student's expense. The hearing officer who will adjudicate the challenge will be appointed by the president. Decisions of the hearing officer will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decision, will be delivered to all parties concerned, and will be final. The educational record will be corrected or amended in accordance with the decision of the hearing officer, if the decision is in favor of the student. If the decision is unsatisfactory to the student, the student may place with the educational record statements commenting on the information in the record, statements setting forth any reasons for disagreeing with the decision of the hearing officer, or both. The statements will be maintained as part of the student's records and released whenever the record in question is disclosed. A student who believes that the adjudication of the challenge was unfair or was not in keeping with the provisions of FERPA may request, in writing, assistance from the president.
- f. Complaints about alleged failure to comply with the provisions of FERPA may be submitted in writing to the Family Policy Compliance

Office, US Department of Education, 400 Maryland Avenue, SW, Washington DC 20202.

- g. In addition to the procedures described in subsection 9–202(e), general categories of educational records are periodically reviewed and obsolete information is removed and destroyed in accordance with an established record retention schedule.

### **Sec. 9–203. Official Transcripts of Records**

- a. The Office of the Registrar will send, issue, or release a student's official transcript of record only
  1. at the student's written request;
  2. after formal authentication of the student's identity; or
  3. in accordance with subsection 9–202(a).
- b. A transcript of record will contain only the information described in section 9–402 and will not be furnished either in part or with information omitted or deleted.
- c. The registrar will maintain a "Register of Requests for Official Transcripts." The register of requests is part of the student record.
- d. The sanction of withholding an official transcript or degree may be imposed upon a student who fails to pay a debt owed to the University. The sanction is lifted when the student has paid the debt.
- e. The dean of students, the president, or the Office of the Chancellor may withhold the issuance of a transcript or a degree pending a hearing against a student who violates a rule or regulation of The University of Texas System or the University when, in the opinion of the official, the interest of The University of Texas System or the University would be served by interim action.

## **Subchapter 9–300. Disciplinary Records**

### **Sec. 9–301. Disciplinary Record**

- a. The University will maintain a permanent written disciplinary record for every student assessed the sanction of suspension, expulsion, denial or revocation of a degree, dismissal from an academic program, withdrawal of a diploma, or permanent bar from admission or enrollment. Disciplinary suspension and temporary bars from admission or enrollment are noted on the official transcript during the term of the sanction. The notation can be removed upon the request of the student when all conditions of the sanction are met. The request for the removal of the transcript notation of suspension should be directed to the Office of the Dean of Students. A notation of disciplinary expulsion will be placed on the official transcript of a student who is assessed the sanction of bar from admission or bar from enrollment. In accordance with law, a notation of ineligible to enroll due to reasons other than academic or financial will be placed on the official transcript of a student who is assessed the sanction of bar from admission or bar from enrollment. A written record of any other case investigated by University Compliance Services or the dean of students will be maintained for at least seven years. The disciplinary record will reflect the nature of the charge, the sanction assessed, and any other pertinent information.
- b. The contents of a student's disciplinary record may be made available upon written request of the student, or in accordance with state or federal law.
- c. Upon request by a student, the University may remove, from a student's transcript, a notation required under (a) if:
  1. The student becomes eligible to reenroll in the postsecondary educational institution; or
  2. The University determines that good cause exists to remove the notation.

## **Subchapter 9–400. Official Transcripts**

### **Sec. 9–401. Office of the Registrar**

The registrar compiles, maintains, and administers official transcripts of record.

### **Sec. 9–402. Content of Transcripts**

Each student's official transcript of record contains the following information:

- a. name of the student;
- b. birthdate;
- c. name and city of high school attended and date of graduation (unless admitted as a transfer student);
- d. transfer credits, if any;
- e. courses taken, hours completed, grades received, grading system, and grade point average;
- f. for undergraduate students, a symbol showing scholastic probation or scholastic dismissal, if any, during the period of probation or dismissal; for graduate students, a symbol showing scholastic dismissal;
- g. type of degree granted by the University and honors received;
- h. date of graduation from the University; and
- i. notation of disciplinary suspension or disciplinary expulsion, or ineligible to enroll due to reasons other than academic or financial, if applicable.