

# Academic Policies and Procedures

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## Family Educational Rights and Privacy Act (FERPA)

Students have certain rights concerning their “education records” under the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, 20 U.S.C. §1232g, et seq. These include:

- The right to inspect and review the student’s education records within 45 days of the day Utah Tech receives the request for access.

All enrolled and former students may access their education records maintained by Utah Tech. Written requests identifying the record(s) to be inspected should be submitted to the Registrar’s Office. The Utah Tech 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 Utah Tech official to whom the request was submitted, that official will advise the student of the correct official to whom the request should be addressed. A student may receive one copy of each item of information contained in the education record at a cost of \$.25 per page (charge subject to change).

- The right to request the amendment of the student’s education records that the student believes are inaccurate or misleading.

Students may ask Utah Tech to amend a record that they believe is inaccurate or misleading as recorded or reported in that record. They should write the Utah Tech official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If Utah Tech decides not to amend the record as requested by the student, Utah Tech will notify the student of the decision and advise the student of their 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 disclosure of personally identifiable information (defined below) contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

Individuals and agencies having access to a student’s records without the student’s consent include “school officials,” defined below, with legitimate educational interests; parents claiming a student as a dependent on their federal income tax; scholarship and other financial aid organizations supporting the student; organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, student aid programs, or to improve instruction; organizations carrying out accrediting functions of programs offered by Utah Tech; appropriate person(s) in an emergency; and any party designated by judicial order or subpoena, provided that, except for subpoenas and orders issued for law enforcement purposes, Utah Tech first notifies the student of the order or subpoena. Any other individual or organization must have a student’s written consent to view or have access to the education record.

For purposes of disclosure of information about the student to school officials with legitimate educational interests, a “school official” is a person employed by Utah Tech in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel in an educational role and health staff); a person or company with whom Utah Tech has contracted (such as an attorney, auditor, or collection agent); a person serving on the governing board of Utah Tech; or a student serving on an official committee, or in a volunteer capacity, such as a peer mentor or member of a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. Such officials have legitimate educational interests when they need to review a student’s education records to fulfill their responsibilities to Utah Tech. As an example of a company with whom Utah Tech has contracted, Utah Tech works with the National Student Clearinghouse which provides an Enrollment Verification Certificate and/or degree verification to students and vendors indicating whether the students are enrolled for part-time or full-time status at Utah Tech, or have received a degree.

Students can authorize the release of their private information that is otherwise available through the secure online student portal that provides limited access to a student’s education records to families and trusted individuals designated by the student. The following types of student information can be viewed in the student portal:

- eBilling information
- Grades for the last completed term
- Unofficial transcript
- Class schedule for the semester in session
- Tax information

An exception to the requirement for prior authorization for release of records exists for public release of “directory information” which is published in university directories and may be released to third parties. FERPA allows a student to limit the release of directory information; see the **Office of the Registrar** for procedures to apply restrictions on directory information.

Utah Tech defines “directory information” as the following:

- Full Name
- User ID (D-Number)

- Local and permanent address(es)
  - E-mail address
  - Telephone numbers
  - Date of Birth
  - Residency status
  - Enrollment status (full/part-time)
  - Major field of study
  - Dates of attendance
  - Degrees and awards received
  - Previous school(s) attended
  - Academic level (freshman, sophomore, etc.)
  - Photographs and videos of students
  - Participation in officially recognized activities or sports
  - Height and weight of athletic team members
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Utah Tech 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 Ave. SW, Washington, DC 20202-4605.

## Personally Identifiable (Private) Information

Personally identifiable (private) information is data or information, which includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric records, such as defined in C.R.S. § 24-73-103(1)(a); an employer, student, or military identification number; a financial transaction device as defined in C.R.S. § 18-5-701(3); other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student and that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Utah Tech defines Personally Identifiable (Private Information) as information, excluding Directory information, that if disclosed alone or in combination with other available information, would make it possible to identify an individual to whom the information pertains. This includes items such as a social security number; a personal identification number; a password; a pass code; an official state or government-issued driver's license or identification card number; a government passport number; biometric data, such as defined in C.R.S. § 24-73-103(1)(a); an employer, student, or military identification number; a financial transaction device as defined in C.R.S. § 18-5-701(3); grades, financial/account information; student ID photo; class and work schedules; residency status; class rank; age; birth date and place of birth. None of these items may be released without the student's permission, except as otherwise allowed by FERPA.

## Deceased Student Information Disclosure

Due to the sensitivity and privacy issues involved in student deaths, a Confidential Information alert will be placed on the deceased student's accounts and records to block public access to all personal and academic information once verification of the death is confirmed.

Further information about Utah Tech's FERPA policy and related guidance and resources are available from the **Office of the Registrar**.