As amended, the Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment) ensures that eligible students have the right to

1. Inspect and review educational records files, and other data.

2. Waive the right of inspection and review of confidential letters and statements of recommendations filed since January 1, 1975.

3. Challenge the content of educational records to ensure that they are not misleading or inaccurate.

4. Preclude directory information from being released.

5. In many cases, decide whether or not a third party may obtain information about them.

The act obliges the University to inform students of their rights and to establish policies and procedures through which their rights can be exercised. Oakwood University intends to comply fully and fairly with the provision of the act and with its statements on policies and procedures.

DEFINITIONS

The following terms, contained in the federal regulations, are specifically defined for purposes of this policy.

A. **Directory information** includes the following student information:

   - Name
   - Address
   - Telephone number
   - Date and place of birth
   - Major field of study
   - Dates of attendance
   - Degrees and awards received
   - Most recent previous educational agency or institution attended by student

B. **Disclosure** means permitting access, release, transfer, or other communication of education records of the student or the personally identifiable information contained therein orally, in writing, electronically, or by any other means to any party.

C. **Educational Record** means any data recorded in any medium that is directly related to a student and are maintained by the University.
The following types of records are not included in the terms “Educational Records” or “Student Records” under the act and are not subject to inspection or review by students.

1. Financial statements of parents.

2. Confidential statements and recommendations filed prior to January 1, 1975.

3. Records which the student has waived the right to inspect.

4. Records of instructional supervisor and administrative personnel that are in the sole possession of the maker and are not revealed to any other individual except a substitute who performs on a temporary basis the duties of the individual who made the record.

5. Records of the law-enforcement unit of the University, which are kept separate from educational records and maintained solely for law-enforcement purposes and available only to law-enforcement officials of the same jurisdiction.

6. Records which are maintained by a physician, psychiatrist, psychologist, or other recognized professionals or para-professionals acting or assisting in a professional or para-professional capacity which are used solely in connection with the provisions of treatment to the student.

7. Records of the University which only contain information relating to a person after that person is no longer a student (e.g., information gathered on the accomplishments of alumni).

D. **Financial aid** means a payment to the student that is conditional upon attendance at the University or some other educational institution.

E. **Personally identifiable** means the data or information which includes the name of the student, the student's parent or other family member, the address of the student, a personal identifier such as the student's Social Security number, a list of personal characteristics that would make the student's identity easily traceable, or other information that would make the student's identity easily traceable.

F. **Student** means any individual for whom Oakwood University maintains educational records. This term does not include an individual who has not been in attendance at Oakwood University. A person who has applied for admission but has never been in attendance is not considered to be a student with respect to the act and the records maintained.

G. **Legitimate educational interests** means the demonstrated need to know by those officials of an institution who act in the student's educational interest, including faculty, administration, clerical and professional employees, and other persons who manage student record information.

H. **School officials** are those members of an institution who act in the student's educational interest within the limitations of their need to know, which may include faculty members, administration, clerical and professional employees, and other persons who manage student record information.

**RIGHT OF ACCESS**

No one will have access to a student's educational records, nor will their contents be disclosed, without the written consent of the student except under the following conditions:
1. Students request review of their own records.

2. Authorized government officials or agencies require disclosure for audit and evaluations of state and federally supported programs.

3. Full-time University employees exercise authorized access and legitimate educational interest.

4. Release to directors of Enrollment Management, Records, and other appropriate officials of another school system in which the student intends to enroll on condition the University makes a reasonable effort to inform the student of the disclosure.

5. Persons or organizations providing student financial aid require disclosure.

6. Accrediting agencies engaged in the accrediting function require disclosure.

7. Disclosure is made to the parents of a student whose status as a dependent has been established according to the Internal Revenue Code of 1954, Section 152.

8. Compliance with a judicial order or lawfully issued subpoena, provided a reasonable effort is made to notify the student prior to compliance.

9. Disclosure to authorized officials in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or another person.

The written consent of the student must be signed and dated and must include the student's Social Security number or birth date. The written consent must specify the record to be disclosed, the purpose or purposes of the disclosure, and the party or parties to whom the disclosure may be made.

Directory information is considered public and may be released without written consent unless specifically prohibited by the student.

A student may restrict publication of directory information by completing the appropriate form in the Office of Records and Enrollment Management requesting the directory information not be released. As a matter of policy, Oakwood University does not release directory information relating students to commercial mail advertisers or other vendors.

All third parties to whom information or records are disclosed shall be informed at the time of disclosure that no further disclosure of personally identifiable data, other than directory information, is authorized without the written consent of the student.

A record of each third-party request for and each disclosure of personally identifiable information from a student's record will be maintained within the student's record. However, a University officer is not required to maintain a record of requests of disclosures to persons seeking directory information and University officials with a legitimate educational interests.

It is the policy of the University to permit the student to inspect this record of requests and disclosures pertaining to his or her records. This record of requests shall be maintained as long as the education record to which it pertains is maintained.
REQUEST FOR REVIEW OF RECORDS

Students may request to inspect and review educational records as previously defined. Such a request must be made to the Director of Records, who will forward the request to the appropriate office which keeps the records. Although it is University policy to respond to a request to inspect records as promptly as possible, an office has up to 20 working days to honor the request. A student may request and receive an explanation or interpretation of his/her record from a responsible official. Each office in which educational records are located maintains a record of requests and releases of personally identifiable information.

RIGHT TO CHALLENGE INFORMATION IN STUDENTS’ RECORDS

Students may challenge any information in their educational records which they believe to be inaccurate, misleading, or inappropriate. If students wish to challenge information in their file, they must make a request in writing to the official responsible for the record in question that the record be amended. The responsible official shall decide as soon as possible, but not longer than 20 working days from the date of the request, whether or not to amend the challenged record. If the student considers the record faulty and the responsible official denies the request for change, the student may request and receive a hearing of the matter to the end that the record be amended if adjudged faulty or in violation of the student's rights.

Such requests for a hearing must be made in writing to the Director of Records and Enrollment Management, who will inform the student of the date, place, and time of the hearing. The hearing will include the following: Assistant Vice President for Academic Affairs, the University general counsel, the Director of Records, the Director of Enrollment Management (chairman), the Vice President for Student Services, and the official responsible for the maintenance of the educational record in question if different than the previously designated individuals. The student, the official responsible for the question (where appropriate), and all other necessary parties will be present at the hearing. A student may be assisted or represented at the hearing by one or more persons of his or her choice. The judgment of the committee shall be final, based solely on the evidence presented at the hearing, and the record shall be changed or retained as recommended. The committee will issue a written statement summarizing the evidence and stating the reasons for the decisions, which will be delivered to all parties concerned.

If the Student Records Challenge Committee decides against the requested change, it shall inform the student that he or she shall have the opportunity to place with the record a statement commenting upon the information in the record and/or setting forth any reasons for disagreeing with the decision of the committee. This statement shall be maintained as long as the questioned record is maintained and shall be provided to all persons to whom the questioned record is provided.

RESPONSIBILITY OF INFORMING STUDENTS THEIR RIGHTS

The University shall inform students of their rights under the act by the publication of the following statement in the University Bulletin and in the Student Handbook:

Privacy of Student Records

Oakwood University hereby notifies students concerning the Family Educational Rights and Privacy Act of 1974. This act, with which the institution intends to comply fully, is designed to protect the privacy of educational records, to establish the right of students to inspect or review their educational records, and to provide guidelines for the correction of inaccuracies or misleading information. The University has adopted a policy which explains in detail the procedures to be used by the University for compliance with
the provisions of the act and the regulations adopted pursuant thereto. Copies of the policy can be obtained from the Offices of Records, Enrollment Management, Student Affairs, and Academic Affairs. Questions concerning the Family Educational Rights and Privacy Act may be referred to the Director of Records and director Enrollment Management.

ASSISTANCE WITH PROBLEMS OR QUESTIONS CONCERNING COMPLIANCE

Questions about the provisions of this act should be directed to the Director of Records.

If a student believes the University has not complied with the act (other than challenging information in the student's record—see Section IV), complaints must be made in writing to the Director of Records. Violations must be specifically identified. Such complaints will be reviewed and responded to by the Student Records Challenge Committee. The response to the committee will be in writing to the student and will be the official and final University response to the complaint.

If after exhausting University appeal procedures there are additional complaints regarding violation of rights, these should be submitted in writing to the Family Educational Rights and Privacy Act Office, Department of Education, Washington, D.C.

STUDENT RECORDS

The University maintains a wide variety of documents that may be considered educational records. Many of these are educational records. In many cases, these are maintained centrally and distributed through University/school deans, departmental/divisional chairpersons, and individual faculty members for the purposes of carrying out advisement and instructional tasks. The following are the types of records maintained by the University, with the name of the office responsible for the maintenance and distribution of the record. The title of the individual responsible and the location of these offices can be ascertained from the current Oakwood University Faculty/Staff Directory.

- **Business Office**: student fees and payroll records.
- **Counseling and Placement Office**: test scores (ACT, SLEP, CTBS, GED, GRE, SAT, NTE, TOEFL) and counseling records.
- **Financial Aid Office**: applications for financial aid and supporting documentation.
- **Health Services Office**: medical records.
- **Student Affairs Office**: housing information, attendance data, and disciplinary offenses.
- **Testing Office**: test scores (ACT, CLEP, CTBS, GED, GMAT, GRE, SAT, NTE, TOEFL).