

Family Educational Rights and Privacy Act



**Southwestern Oklahoma State University
Weatherford and Sayre**

Family Education Rights and Privacy Act (FERPA)

Southwestern Oklahoma State University

In compliance with the Family Education Rights and Privacy Act of 1974 (commonly called the Buckley-Pell Amendment), Southwestern Oklahoma State University hereby institutes the following policies effective November 19, 1974. These policies shall be published annually in the University newspaper, usually early in the fall semester. In addition, each new beginning freshman shall obtain a copy of this document at New Student Orientation. Additional copies are available to any student or interested party, on request, in the Registrar's Office (ADM 108) and the Dean of Students office (STF 214).

Directory Information

In accordance with the Family Education Rights and Privacy Act of 1974, SWOSU identifies the following numbered items as "directory information." This information can be released to interested parties on a "need to know" basis unless the custodian of the record is notified in writing to the contrary at the beginning of each school semester.

1. Student's name
2. Local and permanent address
3. Telephone number
4. Date and place of birth
5. Major and field of study
6. Academic classification
7. Participation in officially recognized organizations, activities, and sports
8. Weight and height of participants in officially recognized sports
9. Educational institutions previously attended
10. Dates of attendance at SWOSU
11. Degrees and awards granted
12. Degree(s) held, date granted, and institution(s) granting such degree(s)
13. Part or full-time enrollment status
14. Photographs of enrolled students

In accordance with this law, any part of a student's educational record except these items will be released only to legally designated government officials, to officials of SWOSU, and/or to officials of designated transferring institution who have determined to have legitimate educational interests. (Students seeking to earn a degree in pharmacy should be particularly aware that the disclosure of academic records of pharmacy students to various State and federal agencies is required by State and Federal laws and/or regulations. The Dean of the College of Pharmacy will continue to serve as the agent for pharmacy students and pharmacy graduates in providing such information to appropriate State and Federal officials and agencies.) Release to any other third party will be made only at the written directive of the student, or as required by law.

Correction of Education Records

Students have the right to inspect and review their education records which they believe are inaccurate, misleading, or in violation of their privacy rights within 45 days of the day the University receives a request for access. Following are the procedures for correction of records:

1. A student must ask (appropriate official of) SWOSU to amend a record. In so doing, the student should identify the part of the record to be amended and specify why the student believes it is inaccurate, misleading or in violation of his or her privacy rights.
2. SWOSU may comply with the request or it may decide not to comply. If it decides not to comply, SWOSU will notify the student of the decision and advise the student of his or her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.
3. Upon request, the Dean of Students will arrange for a hearing and notify the student, reasonably in advance, of the date, place, and time of the hearing.

4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
5. SWOSU will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If SWOSU decides that the information is inaccurate, misleading, or in violation of the student's right to privacy, it will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If SWOSU discloses the contested portion of the record, it must also disclose the statement.

Types of Educational Records

In accordance with item one (1) in the preceding sub-section, SWOSU provides the following list of educational records maintained and the title of the individual(s) in custody of those records:

Type	Custodian of Record
1. Academic	Registrar
2. Discipline	Dean of the College of Pharmacy, Dean of Students
3. Health	University Nurse
4. Placement	Career Services
5. Financial Aid	Director of Student Financial Services
6. Admissions	Registrar/Admissions Counselor

Disclosure of Education Records

SWOSU will disclose information from a student's education records only with the written consent of the student, except that records may be disclosed without consent when the disclosure is:

1. To school officials who have a legitimate educational interest in the records. (NOTE: A college or university is required to specify the criteria for determining who school officials are and criteria for determining legitimate educational interests. The following are examples :)

A school official is:

- A person employed by the University in an administrative, supervisory, academic or research, or support staff position, including health or medical staff.
- A person elected to the Board of Trustees.
- A person employed by or under contract to the University to perform a special task, such as the attorney or auditor.
- A person who is employed by the SWOSU Law Enforcement Unit.
- A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or contract agreement.
- Performing a task related to a student's education.
- Performing a task related to the discipline of a student.
- Providing a service or benefit relating to the student or student's family, such as healthcare, counseling, job placement, or financial aid.
- Maintaining the safety and security of the campus.

1. To officials of another school, upon request, in which a student seeks or intends to enroll. (NOTE: FERPA requires a college or university to make a reasonable attempt to notify the student of the records request unless it states in its policy that it intends to forward records on request.)
2. To certain officials of the U.S. Department of Education, the Comptroller General, and State and local educational authorities, in connection with audit or evaluation of certain State or federally supported education programs.
3. In connection with a student's request for or receipt of financial aid to determine the eligibility, amount, or conditions of the financial aid or to enforce the terms and conditions of the aid.
4. To State and local officials or authorities if specifically required by a State law that was adopted before November 19, 1994.
5. To organizations conducting certain studies for or on behalf of the University.
6. To accrediting organizations to carry out their functions.
7. To parents of an eligible student who is claimed as a dependent for income tax purposes.
8. To comply with a judicial order or a lawful issued subpoena.
9. To appropriate parties in a health or safety emergency.
10. To individuals requesting directory information so designated by the University.
11. The results of any disciplinary proceedings conducted by the University against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

Record of Requests for Disclosure

SWOSU will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

Special Information

Parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1954 are entitled to access official education records of that student. Access can be obtained by a certified copy of the parent or guardian's most recent Federal Income Tax Form clearly showing the student was claimed as a dependent or by a signed and notarized statement, provided in the institution's format, which attests to the fact that half or more of the student's support was provided during the immediate past federal tax year and that the student was claimed as an exemption. If a third party re-discloses personally identifiable student information in violation of FERPA, SWOSU shall be prohibited from permitting access to education records to that third party for a period of not less than five years. Persons filing complaints with the Department of Education must be a parent or eligible student affected by an alleged violation.

The Southwestern Oklahoma State University Student Handbook and the Southwestern Oklahoma State University Catalog are the University's pledge to and with the students, and the students' pledge to and with the University. (Of course, SWOSU retains the right to change, modify, alter or amend the handbook and/or catalog as needs arise.) Each student is responsible for reading, understanding and abiding by these, as is the University. It is available to you on our web page at www.swosu.edu/administration/studentdean/. Each student has a SWOSU email address and access to the web. Use it. Read the catalog and handbook. Know it. Live it.

Thank you,
Cindy Dougherty,
Dean of Students
www.swosu.edu/administration/studentdean