Name of Policy: Confidentiality of student records (FERPA) **Policy Number**: 3364-71-15 **Approving Officer**: Provost and Executive Vice President for Academic Affairs **Responsible Agent**: Provost and Executive Vice President for Academic Affairs **Scope:** All UToledo students	**Revision date:** August 4, 2020 **Initial effective date**: May 1, 2011

☐	New policy proposal	☐	Minor/technical revision of existing policy
☒	Major revision of existing policy	☐	Reaffirmation of existing policy

(A) Policy statement

The university supports a student's right to confidentiality of their records. The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, (the Act) is a federal law, which requires that a written institutional policy complying with the Act be established and that a statement of adopted procedures covering the privacy rights of students, be published. Reinforcing longstanding institutional policy, the Act and other laws require the University of Toledo to maintain the confidentiality of student educational records except as noted below. The university registrar is primarily responsible for the administration of this policy at the University of Toledo. Notification of this policy, associated procedures, and students' rights under the Act is distributed annually to all enrolled students. This policy also conforms to the requirements of the Ohio Privacy Act, as amended.

(B) Purpose of policy

The purpose outlines the protection of the confidentiality of student records.

(C) Definitions

The following definitions are applicable:

(1) Student

A student is any individual currently or formerly enrolled in any university academic offering regardless of their age or status in regard to their parental dependency. When a student reaches the age of 18 or begins attending a post-secondary institution, regardless of age, FERPA rights transfer from the parent to the student. Parents are no longer entitled to student educational records without a release.

(2) Dependent students

The definition contained in the applicable provisions of the United States Internal Revenue Code of 1954, as amended, is adopted herein by reference. No student shall be presumed to be a dependent student.

(3) Student educational records

Student educational records include all records maintained by the University concerning a student, including admissions, academic, financial, and placement records. Educational records include a university maintained list of requests by persons and offices external to the University for disclosure of educational records. The list will also indicate the basis upon which any disclosure is made.

Educational records do not include:

(a) Records of instructional, administrative, and educational personnel which are in the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute,
(b) The records of the department of campus security or law enforcement records,
(c) Records relating to treatment provided by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional and disclosed only to individuals providing treatment.
(d) Employment records, or
(e) Alumni records.

(4) Administrative personnel

Administrative personnel are those persons with supervisory or staff responsibility charged with the management of the university, or a part

thereof, as well as those staff members assigned to maintain student educational records.

(5) Academic personnel

Academic personnel are those persons holding regular or adjunct appointments to the faculty of the University of Toledo.

(6) School Official

School officials include administrative and academic personnel as defined in C4 and C5 as well as contractors, consultants, affiliates, and other external service providers used by, or acting on behalf of, The University of Toledo to perform institutional services and functions related to student educational records.

(7) Need to know

Need to know means the necessity of knowing, due to a normal and customary need or function or pursuant to a University rule, regulation or authorized delegation of authority.

(8) Directory information

Directory information at the university consists of:

(a) Student name
(b) Local address and local phone number
(c) Permanent zip code
(d) College and major field of study
(e) Class (freshman, sophomore, etc.)
(f) University E-mail address
(g) Dates of attendance
(h) Student activities
(i) Degrees, certificates, and awards received
(j) Full or part-time status
(k) Student photograph
(l) Graduate Medical Education placement (MD students only)

(9) Health related directory information

Health directory information consists of:

a. student name
b. local address
c. local phone number
d. University email address
e. Course enrollment and attendance
f. full-time or part-time enrollment status
g. Seating assignment(s)

(D) Disclosure of student education records

(1) External disclosures of educational records

No one external to the university shall have access to nor will the university disclose any information from students' education records without the written consent of students except as noted below.

(a) In connection with a student's application for, or receipt of, financial aid;
(b) To parents or legal guardians of dependent students;
(c) To government officials, as required by statute, regulation, or rule;
(d) To accrediting organizations;
(e) Pursuant to a court subpoena after a reasonable attempt to notify the student of the disclosure;
(f) In response to a request for allowable disciplinary records;
(g) To organizations or individuals conducting studies for, or on behalf of, local and state educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction;
(h) In any emergency to protect the health and safety of the student or other individuals.

(2) Internal use of educational records

Within the University of Toledo community, only school officials, individually or collectively, acting in the student's educational interest are allowed access to student educational records.

(3) Limited disclosures of health related directory information

At its discretion the university may provide health directory information upon written request from a “public health authority” for the purpose of controlling or preventing the spread of a “disease of major public health concern.” A “Public Health Authority” is an agency or authority of the United States government, a State, a territory, or a political subdivision of a State or territory, that is responsible for public health matters as part of its official mandate, as well as a person or entity acting under a grant of authority from, or under a contract with, a public health agency. A “Disease of major public health concern” is one designated by the Ohio Department of Health because of the severity of disease or potential for epidemic spread.

(3) Directory information

At its discretion the university may provide "directory information" and/or “health related directory information” upon inquiry in accordance with this policy and the Act. Students may prohibit the release of "directory information" and “health directory information” by notifying the office of the registrar in writing or by updating their “Directory Information/Release Status” online in the “myUT” portal.

(E) Inspection and challenge of educational records

Students have the right to inspect and review most information contained in their educational records, to challenge the contents of their educational records, to have a hearing of the outcome if the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panel to be unacceptable. The university registrar at the University of Toledo is responsible for coordinating the inspection and review procedures for student educational records. Inquiries as to the extent and location of student educational records subject to inspection should be directed to the office of the registrar. Students wishing to review their educational records must make written requests to the university registrar or a designee listing the item or items of interest. Student educational records covered by the Act will be made available as soon as possible, but within forty-five days of the request.

(1) Inspection

The right of inspection includes access to a university official capable of providing any necessary explanation or interpretation of the data contained in a student's educational record. The university may require that the inspection proceed in the presence of a university official. Students may

have copies made of their educational records except that certified copies of transcripts shall be available only if their outstanding obligations to the university are paid or excused.

Students may not inspect and review the following records:

(a) Financial information submitted by their parents;
(b) Confidential letters and recommendations placed in their files prior to January 1, 1975, provided these letters were collected under the established policies of confidentiality and were used only for the purpose for which they were collected.
(c) Confidential letters and recommendations placed in their files after January 1, 1975, regarding which the student has waived his/her right to inspect and review and that are related to the student's admission, application for employment, or job placement, or receipt of honors.
(d) Educational records containing information about more than one student, in which case the University will permit access only to that part of the record which pertains to the inquiring student.

(2) Challenge

Students who believe that their educational records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights, may discuss their problems informally with the university registrar or a designee. If such discussions result in a decision which is in agreement with a student's request, the university registrar or a designee shall take steps to see that the appropriate records are amended. If not, the student will be notified within a reasonable period of time that the records will not be amended and the student will be informed by the university registrar or a designee of the student's right to a formal hearing.

A request for a formal hearing must be made in writing to the university registrar and must contain a statement of the dispute. The university registrar, within a reasonable period of time after receiving such request, will inform the student of the date, place, and the time of the hearing. A student may present evidence relevant to the issues raised and may be assisted or represented at the hearing to resolve problems concerning student educational records. Transcripts of the hearing may be made at the requesting party's expense. A copy of any such transcript must be supplied to the hearing council before it renders its decision.

The hearing panel that will adjudicate such challenges will be composed of no less than three senior academic officials who are impartial to the outcome of the hearing to ensure fair judgment. No one with prior involvement in the matter shall be designated.

Recommendations of the hearing panel will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reason for the decisions, and will be delivered to all parties concerned. The student's educational records will be corrected or amended in accordance with the recommendations of the hearing panel if the recommendations are in favor of the student. If the decisions are unsatisfactory to the student, the student may place with the disputed education records a brief statement commenting on the information in the records, or a statement setting forth any reasons for disagreeing with the decisions of the hearing panel. The statement must be reasonably concise, normally not more than one hundred words, and will be maintained with the student's educational records, and released whenever the records in question are disclosed.

At any time after a request for a formal hearing is made, a student may request in writing that the university registrar furnish a copy of the student's statement of dispute or the resolution thereof to any person specifically designated by the student.

Students who believe that adjudication of their challenges is unfair, or not in keeping with the provisions of the Act, may request, in writing, assistance from the senior academic administrator; however, if the incumbent of that office has served on the hearing panel in the matter, the request may be directed to the Office of the President of the University. Further, students who believe that their rights have been abridged, may file a complaint with the U.S. Department of Education’s Family Policy Compliance Office concerning the alleged failures of the University of Toledo to comply with the Act.

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

(3) Transcripts

Students with outstanding obligations to the university will be unable to obtain their transcripts until the outstanding obligations have been resolved.

(F) Rules

The university registrar may adopt such rules and procedures as are necessary to place this policy into effect.

Approved by: Mitchell S. McKinney Provost and Executive Vice President for Academic Affairs September 28, 2026 Date *Review/Revision Completed by:* *Provost & Executive Vice President for Academic Affairs*	**Policies Superseded by This Policy:** • *Previous 3364-71-15, effective date June 16, 2017* Initial effective date: May 1, 2011 Review/Revision Date: June 16, 2017, August 4, 2020, September 28, 2026 **Next review date: August 4, 2029**