

# STUDENT RECORDS POLICIES AND PROCEDURES

In compliance with Section 438 of the "General Education Provisions Act" (as amended) entitled "Family Educational Rights and Privacy Act (FERPA)," the following constitutes the institution's policy which instructs the student in the procedures available to provide appropriate access to personal records and seek an amendment to those records while protecting the privacy rights of students.

## Terms Defined

For the purposes of this policy, MBKU uses the following definitions of terms.

1. Student – any person who is attending or has attended MBKU and whose records are in the files maintained by the University. Attendance begins with the first day of classes of the first professional year.
2. Education record – any document (records, files, emails, and other material) maintained by MBKU or an agent of the University, which is related to a student, except:
  - a. A personal record maintained by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record. Records in the sole possession of instructional, supervisory, and administrative personnel (e.g., advising notes).
  - b. An employment record of an individual, whose employment is not contingent on the fact that the individual is a student, provided the record is used only in relation to the individual's employment. Records of employees who are not also in attendance.
  - c. Records maintained by MBKU's Campus Safety Office, if the record is maintained solely for law enforcement purposes, are revealed only to law enforcement agencies of the same jurisdiction, and the Unit does not have access to education records maintained by MBKU.
  - d. Records maintained by the University Eye Centers if the records are used only for the medical treatment of a student and made available only to those persons providing the treatment.
  - e. Physician, psychiatrist, or psychologist treatment records for eligible students.
  - f. Alumni records that contain information about a student after the student is no longer in attendance at MBKU and which do not relate to the person as a student.

## Annual Notification

1. Students are notified of their FERPA rights annually by publication in the MBKU University Catalog;
2. Students are provided with annual notification of FERPA rights via email and posted an announcement on the MBKU online portal; and
3. FERPA brochures are in a variety of public places on campus and electronically within the MBKU online portal.

## Directory Information

MBKU designates specific items in the student record as Directory Information. The University may disclose any of these items without prior written consent unless the student notifies the University by emailing the completed "FERPA Information Disclosure Update" form to registrar@ketchum.edu.

Category I includes Directory Information that may appear in University and Program publications (e.g., White Coat Ceremony and Commencement programs):

- Student name
- Degree program
- Graduating Class Year
- Degrees and awards earned
- Hometown/state
- Participation in officially recognized activities

And Directory Information that may be shared within the MBKU community:

- Address
- Telephone number
- University email address
- Student ID number
- Degree program
- Awards received
- Dates of attendance
- Enrollment status (full or part-time enrollment)
- University ID photo

Category II includes photographs taken on-campus or at officially recognized MBKU events. These may appear on the University website, University social media platforms, and other print and non-print University communication materials (See "Student Photographs at Campus Events (<https://catalog.ketchum.edu/university-student-handbook/university-policies/student-photographs-university-events/>)" policy).

## Release of Student Names

To protect the privacy of its students, it is the policy of MBKU not to release the names of students to any outside organizations. Any organization wishing to distribute materials to students may submit copies to the respective Program administrator. Students do not have on-campus mailboxes so any viable materials/documents will be posted online for student viewing and/or added to publicly viewed campus bulletin boards.

## Disclosure

1. MBKU will disclose information from a student's education record only with the written consent of the student. The written request must include the specification of the records to be released, the purpose of disclosure, and the party to whom disclosure may be made. The "Enrollment and Degree Verification Form ([https://my.ketchum.edu/ICS/Office\\_of\\_Registrar/Diploma\\_Verification.jnz](https://my.ketchum.edu/ICS/Office_of_Registrar/Diploma_Verification.jnz))" is found on the portal. Unofficial copies of records may be provided to the student in cases where the purpose of the disclosure and/or the party to whom disclosure is to be made are not provided.

The "Recommendation Release Form" is also found on the Faculty (<https://my.ketchum.edu/ICS/Faculty/>) tab ("Forms" section) of the portal. This form is completed and submitted by a student prior to any MBKU faculty or staff submitting a recommendation on their behalf. On the form, the student will indicate which types of non-directory information to include in the recommendation, along with waiving or retaining their right to review the recommendation submitted by the faculty/staff member. After submission, the form is automatically sent to the student, faculty/staff member, and the MBKU Registrar. Once received, the faculty/staff member is permitted to write a recommendation for the respective student.

2. Information may be released without the student's consent in the following instances:
  - a. School officials who have a legitimate safety and/or educational interest in the records. The determination of a "legitimate need to know" will be made by the person responsible for the maintenance of the record based on the criteria below.

A school official is:

- A person employed by the University in an administrative, supervisory, academic, research, or support staff position.
- 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 school official has legitimate safety and/or educational interest if the official is:

- Performing a task that is specified in their position description or by a contract agreement.
  - Performing a task related to the student's education.
  - Performing a task related to the discipline of the student.
  - Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
  - Officials of another school, upon request, in which a student seeks or intends to enroll.
- b. Certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally-supported education programs.
  - c. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid or to enforce the terms and conditions of the aid.
  - d. If required by a state law requiring disclosure that was adopted before November 19, 1974.
  - e. Organizations conducting studies for or on behalf of the University making the disclosure for the purpose of administering predictive tests, managing student aid programs, and/or improving instruction.
  - f. A school official with legitimate access to student records may strip the records of any identifying information and provide the data to a researcher to use for research-related purposes. Aggregate data from student records may be used in publications (no individual student record will be shared without written consent).

- g. Accrediting organizations to carry out their functions.
- h. Parents of an eligible student who is a minor (under the age of 18).
- i. Complying with a judicial order or a lawfully issued subpoena.
- j. Appropriate parties in a health or safety emergency.
- k. An alleged victim of any crime of violence or the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

3. Identifiable information, such as name or social security number, will not be used for posting results of academic achievement. Individual instructors may assign an identification number unique to their course for the purpose of posting select achievements.
4. The University reserves the right to refuse to provide copies of materials received as part of the admissions process (other college or high school transcripts or letters of recommendation) to a third party.
5. MBKU 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 disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents if the student is a minor or has signed a FERPA waiver.
6. Documents submitted as part of the admissions process are the property of the University and will not be returned. In accordance with AACRAO guidelines, the University separates the academic, disciplinary, and health records of students. Transcripts contain information about academic status and some disciplinary notes (see Code of Conduct (<https://catalog.ketchum.edu/university-student-handbook/student-conduct/university-student-code-conduct/>)). Information from disciplinary or counseling files are not available to unauthorized persons on campus, or to any person off campus without the expressed consent of the student involved except under legal compulsion or in cases where the safety of persons or property is involved. No records are kept which reflect the political activities or beliefs of students. Administrative staff and faculty members should respect confidential information about students that they acquire in the course of their work.

## Education Records

The following is a list of the types of records the University maintains, their locations, and custodians:

Type of Record	Location	Custodian
Academic Progress	Program	Academic Affairs
Admissions	Admissions	Admissions
CARE Team Case Notes	University Student Affairs	CARE Team Committee
Cumulative Academic Records	University Student Affairs	Registration & Records
Financial Aid	Financial Aid	Financial Aid
Health Records	Ketchum Health	Clinic Directors
Disability Records	University Student Affairs	University Student Affairs

Student Conduct	University Student Affairs	Student Conduct Designee
Student Finances	Student Accounts Services	Student Accounts
Title IX Records	University Student Affairs	Title IX Designee

1. Students may inspect and review their records upon request to the FERPA Compliance Officer or appropriate record custodian. This includes quizzes, exams, and other graded materials. Each Program maintains its own policies as to how and when a student may view graded materials.

A student should submit to the FERPA Compliance Officer, or an appropriate University employee, a written request which identifies as precisely as possible the record or records the student wishes to inspect. The FERPA Compliance Officer, or appropriate employee, will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. When a record contains information about more than one student, the student may inspect and review only the records which relate to the student.

2. MBKU reserves the right to refuse to permit a student to inspect the following records:
  - a. the financial statement of the student’s parents;
  - b. letters and statements of recommendation for which the student has waived their right of access, or which were placed in the file before January 1, 1975;
  - c. records connected with an application to attend MBKU if that application was denied; **and/or**
  - d. those records which are excluded from the FERPA definition of “education records.”
3. MBKU reserves the right to deny copies of records not required to be made available by FERPA in any of the following situations:
  - a. the student lives within commuting distance of MBKU;
  - b. the student has an unpaid financial obligation to the MBKU;
  - c. the student has defaulted on any loan owed to MBKU; **and/or**
  - d. an unresolved disciplinary action against the student.
4. The fee for copies of records will be 50 cents per page.

3. Upon request, the FERPA Compliance Officer 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 the FERPA Compliance Officer, unless the FERPA Compliance Officer has a direct interest in the amendment. 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 records.
5. The FERPA Compliance Officer 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 the FERPA Compliance Officer decides that the challenged information is accurate, not misleading, or in violation of the student’s right to privacy, they will notify the student that they have 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 if the contested portion is maintained. If MBKU discloses the contested portion of the record, it must also disclose the statement.
8. If MBKU decides that the information is inaccurate, misleading, or in violation of the student’s right to privacy, it will amend the record and notify the student, in writing, that the record has been amended.

Students who believe their rights have been abridged may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education at:

Family Policy Compliance  
 U.S. Department of Education  
 400 Maryland Avenue SW  
 Washington, D.C. 20202-5901

## Record Retention Policy

It is the policy of MBKU to record academic information (e.g., course registration, final course grades, etc.) in a data management system (i.e., Jenzabar). A file may be created during enrollment to store academic records (e.g., University correspondence, academic standards letters, disclosure requests, etc.). Most of these records are retained for 5 years after graduation or departure from the University. However, transcripts, grade change forms, and dismissal letters are kept permanently. Please see the Student Record Retention Schedule table below for additional information.

Student Record Retention Schedule for enrolled students:

Type of Record	Retention Schedule	Destruction/Storage	Responsible Party
Admissions Record	5 years post-graduation/ departure	Shred/Purge electronically	Admissions Personnel
Academic Record	5 years post-graduation/ departure	Shred/Purge electronically	Registration and Records
Health Records	5 years post-graduation/ departure	Shred/Purge electronically	Clinic Directors

## Correction of Records

Students have the right to ask to have records, other than course grades, corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. The procedures for the correction of records are listed below.

1. A student may ask the FERPA Compliance Officer to amend a record. The student should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading, or in violation of their privacy or other rights.
2. The FERPA Compliance Officer may or may not comply with the request. If it decides not to comply, the FERPA Compliance Officer will notify the student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of their rights.

CARE Team Case Notes	Upon graduation	Shred/Purge electronically	University Student Affairs
Disciplinary Record	3 years post-graduation/ departure	Shred/Purge electronically	University Student Affairs
Title IX Record	7 years post-graduation/ departure	Shred/Purge electronically	Title IX Coordinator
Financial Aid	4 years post-graduation/ departure	Shred/Purge electronically	Financial Aid