



BOARD OF REGENTS POLICY: *Student Education Records*

SECTION I. SCOPE.

This policy governs information maintained by the University of Minnesota (University) in the performance of its functions as an educational institution regarding enrolled or prospective students.

SECTION II. GUIDING PRINCIPLE.

The University shall maintain the privacy of student education records. Student education records shall be disclosed only to the student, to persons within the University with a legitimate educational interest, to persons authorized by the student to receive the student's education records, and to persons authorized to receive education records without the student's consent.

SECTION III. DEFINITIONS.

Subd. 1. Directory Information.

Directory information shall mean the student's name, ~~address, electronic (e-mail) address, telephone number,~~ dates of enrollment, enrollment status (full-time, part-time, not enrolled, fully withdrew/withdrawn, and date of withdrawn/withdrawal), ~~major/academic program, academic adviser/advisor,~~ college/school, class level (e.g. first-year, sophomore, and senior), academic awards and honors ~~received~~, and, ~~upon graduation, the degree/degrees and credentials awarded.~~ For students appointed as fellows, assistants, graduate, or undergraduate hourly employees, directory information shall also include their title, appointing department or unit, appointment dates, duties, and percent time of the appointment.

Subd. 2. Legitimate Educational Interest.

Legitimate educational interest shall mean ~~an interest in reviewing a~~ need to review and use student education records for the purpose of performing an appropriate University research, educational, or administrative function.

Subd. 3. Limited Directory Information.

Limited directory information shall mean the student's physical addresses, University email address, telephone numbers, and University ID photos.

Subd. 4. School Official.

School official shall mean a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted to perform an institutional service or function in accordance with law; a person serving on the Board of Regents; or a student serving on a University committee or otherwise assisting another school official in performing institutional tasks.

Subd. 5. Student.

Student shall mean any person that is currently or has ever registered for and attended any University for-credit class. Attendance is determined as of the first day of the first term for which students have enrolled for classes and is not dependent on the modality of classes (e.g., in person, remote, and online).

Subd. 36. Student Education Records.

Student education records shall mean any record maintained by the University that contains personally identifiable information about a student, regardless of its format or method of storage. Student education records shall not include law enforcement records maintained separately from education records, University employment records, and medical or psychological counseling records, all of which are protected according to provisions of state and federal law and University policy.

Subd. 7. Student Organization.

Student organization shall mean:

- (a) Campus life program - a voluntary association composed primarily of students whose activities, operations, and decision-making processes are directly governed by University academic or administrative units, and for which the University is ultimately responsible.
- (b) Registered student organization - a voluntary association composed primarily of students that is not controlled by the University but, upon completion of the established registration process, may conduct activities at the University.

SECTION IV. ACCESS TO STUDENT RECORDS.

Subd. 1. Access to Student Directory Information.

Directory information shall be publicly available and may be disclosed to any person without the student's consent unless the student has suppressed or prohibited disclosure of the information. Students shall be given the opportunity to suppress their directory information during the term of their enrollment once they are enrolled. Access to directory information for newly enrolled students becomes publicly available for the first time on the first day of classes of their first term of enrollment.

Subd. 2. Access to Limited Directory Information.

Limited directory information shall be available to any student organization, or a school official as defined by Section III, Subd. 4 of this policy unless the student has suppressed or prohibited disclosure of their information. Students shall be given the opportunity to suppress their limited directory information once they are enrolled. Access to limited directory information for newly enrolled students becomes publicly available for the first time on the first day of classes of their first term of enrollment.

Subd. 23. Access to Private Student Education Records.

Student education records other than publicly available directory information are private and shall not be disclosed except as appropriate and to the extent permissible under federal and state laws as follows:

- (a) to the student;

- (b) to school officials with a legitimate educational interest in the information;
- (c) to persons specifically authorized by the student in writing to receive the information;
- (d) to other educational institutions in which the student seeks to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- (e) to ~~other~~ organizations conducting ~~educational~~ research studies for or on behalf of educational agencies or institutions, provided the ~~studies are conducted in a manner that does not permit identification of students and the information will be destroyed when no longer needed for the specific purpose~~ study is conducted in a manner that does not permit personal identification of parents and students and there is a written agreement with the organization;
- (f) to persons in compliance with a court order or lawfully issued subpoena, provided that a reasonable attempt is made to notify the student where required prior to release;
- (g) to appropriate members of the court system when legal actions against the University is initiated by the student and the disclosure is part of the University's defense;
- (h) to appropriate persons in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals;
- (i) to accrediting organizations and state or federal education authorities using information for auditing, evaluating, or enforcing legal requirements of educational programs, provided the data is protected to prohibit the identification of students and all personally identifiable information is destroyed when no longer needed;
- (j) to appropriate persons or agencies in connection with a student's application for or receipt of financial aid to determine eligibility, amount, or conditions of financial aid and to enforce the terms and conditions of the aid;
- (k) to parents of a dependent student as defined under the Internal Revenue Code;
- (l) the final results of a disciplinary proceeding, regardless of outcome, to the victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense;
- (m) findings from a disciplinary proceeding that a student has violated an institutional rule or policy in connection with a crime of violence or nonforcible sex offense; and
- (n) disclosures concerning sex offenders and other persons required to register as offenders under federal law.

SECTION V. ADMINISTRATIVE PROCEDURES.

The University shall maintain administrative procedures that fulfill its legal obligations regarding student education records, including, but not limited to, notice of rights to students, access to education records, recordkeeping requirements, the right to request amendment of education records, and hearing rights.

REVISION HISTORY

Adopted: January 11, 1991

Amended: September 11, 1992; May 13, 2005; May 13, 2011

Supersedes: Student Organizations' Membership Lists Dated December 8, 1967; Student Records Other Than Organization Membership Lists Dated January 12, 1968; and Access To Student Records Dated March 10, 1978