

# GENESEO

THE STATE UNIVERSITY OF NEW YORK

Approved By: Cabinet  
Effective Date: June 2000

Category: Student Affairs  
Contact: Vice President for Student and  
Campus Life  
(585) 245-5618

## Student Records Policy

### I. Policy

- A. Students at this College have the right to expect that information accumulated for the purpose of facilitating their education will not be used for any other purpose without their consent.
- B. The College records policy, revised for detailed conformity with the Family Educational Rights and Privacy Act of 1974, permits current or former students to inspect College educational records pertaining to them as individuals, and except as defined below, to obtain copies for a fee. Students are also accorded a right to question the content of a record and to receive a formal hearing if unsatisfied with the response to such a question.
- C. Written consent from a student is required before personally identifiable information can be released from the individual educational record in all cases except those specifically exempted by law.

### II. Inspection of Records

- A. A student may obtain an appointment to inspect any of the following education records by writing to the responsible individual. The written request should identify as precisely as possible the record or records the student wishes to inspect. An appointment must be made for the student within 45 days of the request unless very unusual circumstances interfere.

1. Undergraduate, general (offices of dean of students, student conduct and community standards, dean of academic planning and advising, admissions, and health records)	Dean of Students	College Union 354
2. Graduate, general	Dean of Academic Planning and Advising	Erwin 106
3. Access Opportunity	Director, Access Opportunity Program	Sturges 119D

4. International student	Director of International Student and Scholar Services	Erwin 218C
5. Financial aid	Director of Financial Aid	Erwin 104
6. Academic transcript	College Registrar	Erwin 102
7. Student teaching	Dean, School of Education	South Hall 200
8. Academic advisor's file	Dean of Academic Planning and Advising	Erwin 106
9. Financial standing	Associate Vice President for Administration and Controller	Doty 325F

A. The student may not see communications from parents or from individuals who have been told by the student that they may correspond with the College in confidence.

### III. Limitation of Right of Access

A. SUNY Geneseo reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were maintained before January 1, 1975.
3. Records connected with an application to attend Geneseo or a component unit of Geneseo if that application was denied.
4. Those records which are excluded from the FERPA definition of education records.

### IV. Obtaining Copies

A. Copies of most records will be furnished to students for a minimum copying charge for each request to a particular responsible official. Postage charges will be added when applicable. Checks will be made payable to SUNY Geneseo. In most cases, copies of correspondence will not be made without permission from the writer.

B. SUNY Geneseo reserves the right to deny copies of records, including transcripts, not required to be made available by FERPA in any of the following situations:

1. The student lives within commuting distance of the College.
2. The student has an unpaid financial obligation to the College.
3. There is an unresolved conduct action or other administrative matter against the student.
4. The education record requested is an exam or set of standardized test questions.

### V. Consent and Disclosure

A. The College will not release information from education records without the student's written consent, except that personally identifiable information may be given:

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. A school official is:
  - i. A person employed by the College in an administrative, supervisory, academic or research, or support staff position, including health or medical staff.
  - ii. A person elected to the College Council.
  - iii. A person employed by or under contract to the College to perform a special task, such as the attorney or auditor.
  - iv. A person who is employed by the College's law enforcement unit.
  - v. A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another College official in performing their tasks.
  - vi. A person employed by SUNY System Administration.
- b. A school official has a legitimate educational interest if the official requires the information for the purpose of fulfilling their official duties, including but not limited to:
  - i. Performing a task that is specified in their position description or contract agreement.
  - ii. Performing a task related to a student's education.
  - iii. Performing a task related to the conduct of a student.
  - iv. Providing a service or benefit related to the student or student's family, such as health care, counseling, job placement, or financial aid.
  - v. Maintaining the safety and security of the campus.
  - vi. Participating in or conducting studies, evaluations, or assessments of educational programs.
- c. To officials of another college or university which reports that the student has applied for transfer. Records will be forwarded upon receipt of request.
- d. To Federal or State officials for general program purposes or according to law.
- e. To persons assisting in the determination of financial aid eligibility or the amount or conditions of aid, and in the enforcement of such conditions.
- f. To research organizations for group data studies wherein confidentiality is protected.
- g. To representatives of accreditation agencies for program evaluation.
- h. To the parents of dependent students as defined by the Internal Revenue code.
- i. To officers of a court who have issued a subpoena, in which case the student will be notified in advance, if possible.
- j. To appropriate parties in a health and safety emergency.
- k. To state and local officials or authorities if specifically required by a state law that was adopted before November 19, 1974.
- l. To individuals requesting directory information so designated by Geneseo.

- m. To the (alleged) victim of a crime of violence, the College will release the results of any conduct proceeding conducted by the College against an (alleged) perpetrator of that crime of violence.
- n. To any parent or legal guardian of a student under the age of 21 information about a violation of any federal, state or local law, or any rule or policy of the University governing the use or possession of alcohol or a controlled substance if the campus determines that the student has committed a disciplinary violation with respect to such use or possession.
- o. To Veterans Administration Officials pursuant to 38 USC 3690 (c).
- p. To federal law enforcement officials investigating acts of terrorism (in accordance with the USA PATRIOT Act of 2001).
- q. To the court those records that are necessary to defend the University when a student initiates legal action against the institution.
- r. To the military, directory information as it is presently defined under the Solomon Amendment, even if the institution has not designated such information as directory information in its policy.
  - i. Directory information that must be released to the military:
    - student's name and address;
    - telephone listing;
    - date and place of birth;
    - class level (Freshman, sophomore etc.);
    - academic major;
    - degrees received; and
    - the educational institution in which the student was most recently enrolled.
  - ii. Information that the College is not required to release to the military:
    - directory information, but only if the student has requested that the University not release such information to anyone;
    - information the institution certifies it does not have; or
    - information not defined as directory information.
- s. To the apparent creator of a record to verify authenticity;
- t. When the disclosure concerns a registered sex offender, including a student, and is information received under a community notification program under 42 USC §14071.

B. There is certain directory information which the College may release without the student's permission: the student's name, local address, electronic mail (e-mail) address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photographs and the most recent previous educational agency or institution attended by the student. However, a student may prevent the release of such information by writing the Dean of Students before the first Friday of each semester. A 'disclosure hold' in place at the time of a student's departure (graduation, withdrawal,

etc.) will remain in effect unless the student by written request seeks its removal. (This information is published in the "Student Billing Information.") Also, the College may refuse to release such information if a request seems improper, e.g., for commercial exploitation.

- C. Except in cases of requests through the USA PATRIOT Act of 2001, or in cases specifically exempted by FERPA, the College will maintain in each record a list of off-campus parties who have obtained access to non-directory information other than through the specific written consent of the student. This list will show who received information and what the legitimate interest was, and it may be examined by the student along with the record itself.

## VI. Correction of Education Records

- A. A student who believes that a record contains erroneous or misleading information may state an objection in writing to the responsible official and receive an answer within 45 days. If the answer, together with an adjustment of the record promised therein, is not satisfactory, the student may request a formal hearing by writing to the Dean of Students. The Dean will arrange a hearing within a reasonable period of time. (If the action of the Dean is in question, the hearing officer will be the Vice President for Student and Campus Life.)
- B. The hearing officer may decide to amend the record and so notify the student. If the decision is contrary to the student's preference, the student may add a personal statement in contradiction which permanently attaches to the challenged portion of the record.
- C. The student will be notified of the time and place of a formal hearing, will receive a full opportunity to be heard and the right to be assigned or represented by an advisor or attorney, and will receive a timely written decision containing a summary of evidence together with reasons for the conclusion reached.
- D. The opportunity for a hearing does not apply to questions concerning the underlying reasons for the granting of a particular grade. Instead, a hearing to determine the accuracy of any grade will be confined to the issue of whether the recorded grade was the grade intended by the reporting faculty member or College official.

## VII. Limited Disclosure

- A. The College will notify recipients of information from education records that they may not redisclose the information without the student's written permission, according to law.

## VIII. Special Records

- A. Medical records are not made available to anyone inside or outside the College without the student's written permission. Records may be shown directly to the student on request.
- B. University Police records are maintained apart from education records and used solely for law enforcement purposes. In general these records are not subject to FERPA access

provisions. Investigation reports made to other units of the College will be shown to students affected by them.

**IX. Posting of Grades**

- A. Students may view their grades via Knightweb.

**X. Release of Educational Records for a Deceased Student**

- A. According to FERPA, the privacy interests of an individual expire with that individual's death. The FPCO (Family Privacy Compliance Office), however, has determined that the disposition of records held by an institution pertaining to a deceased eligible student is a matter of institutional policy and/or state law.
- B. It is the policy of SUNY Geneseo that no records of deceased students be released to third parties after the date of death, unless specifically authorized by the executor, administrator, or legal representative of the deceased student's estate.

**XI. Policy Questions or Complaints**

- A. Student records policy is the responsibility of the Vice President for Student and Campus Life and, finally, the President. Outside the College, the student has a legal right to file inquiries or complaints with Family Educational Rights and Privacy Act Office, Department of Health, Education and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201.

*Approved by Cabinet, June 2000*

*Revisions Approved by Cabinet, August 2014*

*Additional Revisions Approved by Cabinet, August 2015*

*Additional Revisions Approved by Cabinet, October 2018*