

## **CHAPTER 47. STUDENT EDUCATIONAL RECORDS**

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## **CHAPTER 47. STUDENT EDUCATIONAL RECORDS**

### **SUBCHAPTER A. GENERAL STATEMENT**

#### **SECTION 47.01 DEFINITIONS**

In this chapter, unless the context requires a different meaning,

- (1) "vice president" means the Senior Vice President for Student Affairs and External Relations;
- (2) "registrar" means the Director of Records and Registration, or designee;

- (3) "educational record" means the official record of a student which is maintained by the university for use by the university and includes directory information and student records. Educational record does not include the records of law enforcement units which are maintained solely for law enforcement purposes;
- (4) "student" means a person enrolled or formerly enrolled at the university or a person accepted for admission or re-admission to the university;
- (5) "university" means The University of Texas at Dallas; and
- (6) "president" means the President of The University of Texas at Dallas.

### **SECTION 47.02 PURPOSE**

The student educational records maintained by the university fall into two general categories, directory information and student records. The purpose of this chapter is to describe various kinds of educational records and to state the permissible uses of these records.

### **SECTION 47.03 CONFIDENTIALITY**

- (a) That part of a student's educational record defined as directory information in Section 47.10 (a) is public information and will be made available to the public except as noted in Section 47.10 (d).
- (b) Student records include all educational records except for directory information and are not public records. The university will maintain the confidentiality of these student records to the extent provided by applicable state and federal laws and in accordance with the procedures outlined in Section 47.11.
- (c) Information contained in a student's educational record may be released by the university as directed by the president in response to a health or safety emergency.
- (d) University records relating to any enrolled or previous student are subject to and must be maintained according to federal, state, and university regulations.

### **SECTION 47.04 INFORMATION NOT RECORDED**

No permanent record may be established or maintained that reflects a student's political attitudes, religious beliefs, memberships or activities, other than honorary or professional memberships or activities that are directly related to the educational experience.

## **SUBCHAPTER B. UNIVERSITY RECORDS**

### **SECTION 47.10 DIRECTORY INFORMATION**

(a) "Directory information" is defined as a student's name, local and permanent address, telephone number, email address, date and place of birth, major field of study, participation in officially recognized activities and sports, photographs, weight and height if a member of an athletic team, dates of attendance, degrees, awards and honors received, the most recent previous educational agency or institution attended by the student, classification, and expected date of graduation.

(b) Directory information is public information and will be made available to the public except as noted in Subsection (d).

(c) Directory information may be released in various publications of the university, such as, a student directory, college honors' list, lists of graduating students, or similar documents.

(d) A student may request that all directory information not be made public by completing an appropriate form during the registration process. This request will remain in effect until the student contacts the Office of Records and Registration to request otherwise. In the event of such a request, these data will be treated as student records in accordance with procedures outlined in Section 47.11, and, in response to public inquiries, the university will indicate there is not information to be released.

### **SECTION 47.11 STUDENT RECORDS**

(a) Student records include educational records maintained by the university except for directory information.

(b) The university shall not permit access to nor the disclosure of personally identifiable information contained in these records without the signed, written consent of the student to any party other than the following:

- (1) appropriate university officials who require access to educational records in order to perform their legitimate educational duties;
- (2) officials of other schools in which the student seeks or intends to enroll, provided the student is notified of such releases;
- (3) federal, state, or local officials or agencies authorized by law;
- (4) in connection with a student's application for, or receipt of, financial aid;
- (5) accrediting organizations or organizations conducting educational studies, provided that these organizations do not release personally identifiable data;
- (6) in compliance with a judicial order or subpoena, provided a reasonable effort is made to notify the student in advance;

- (7) the parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1954, provided a reasonable effort is made to notify the student in advance; or
- (8) an alleged victim of any crime of violence may know the results of any disciplinary proceeding conducted by the university against the alleged perpetrator of that crime with respect to that crime.

(c) The university maintains, as part of a student's record, a record of access of all parties other than those specified in Section 47.11 (b) who have gained access to data in an individual's student records which will include the legitimate interest of that party in obtaining the information.

### **SECTION 47.12 OFFICIAL TRANSCRIPT**

(a) Each student's official transcript of record contains the following information:

- (1) the name of the student;
- (2) social security number;
- (3) scores on standardized tests;
- (4) transfer credits, if any;
- (5) the date of admission to the university;
- (6) courses taken, hours completed, grades received, grading system, and grade point average;
- (7) a symbol or statement of scholastic probation or academic drop;
- (8) the type of degree granted by the university and honors received; and
- (9) the date of graduation from the university.

(b) In the event of nonpayment of a monetary debt to the university or to another U.T. System component institution, one or more of the following temporary notations may be made on the student's record:

- (1) a bar against readmission for the student;
- (2) withholding of the student's grades and officially certified transcript;
- (3) withholding of a degree to which the student would otherwise be entitled.

(c) The office of records and registration shall send, issue, or release a student's official transcript of record only

- (1) at the student's written request upon receipt of payment of the appropriate fee, if required;
- (2) in response to a court order;
- (3) to an institution of higher education or accrediting agency upon receipt of an official request; or
- (4) upon direction of the institutional head.

(d) The registrar shall maintain a record of requests for official transcripts. On request, a student will be given access to information about requests for the student's record subject only to reasonable regulations as to time, place and supervision.

(e) Documents submitted by or for the student in support of an application for admission or for transfer credit will not be returned to the student, nor sent elsewhere. For example, a transcript from another educational institution will not be sent to a third party. The student may, however, obtain a copy of such transcripts from the Office of Records and Registration after paying the required fee.

## **SUBCHAPTER C. DISCIPLINARY RECORDS**

### **SECTION 47.15 RETENTION OF RECORDS**

(a) The university shall maintain a permanent written disciplinary record for every student assessed a penalty of suspension, expulsion, denial or revocation of degree and/or withdrawal of diploma. A record of scholastic violations shall be maintained for at least five years unless the record is permanent in conjunction with the above stated penalties.

(b) A disciplinary record shall reflect the nature of the charge, the disposition of the charge, the penalty assessed and any other pertinent information. This disciplinary record shall be separate from the student's academic record, shall be treated as confidential, and shall not be accessible to or used by anyone other than the dean, except upon written request of the student or in accordance with applicable state or federal laws and Section 47.11, Subsection (b) of this chapter.

### **SECTION 47.16 RECORDING OF DISCIPLINARY PENALTY**

A student's educational record may include notation of a disciplinary penalty as provided in Chapter 49, Section 49.18, Subsection (b).

## **SUBCHAPTER D. INSPECTION AND REVIEW OF EDUCATIONAL RECORDS**

### **SECTION 47.25 PROCEDURES FOR REVIEW**

(a) Any student enrolled in the university shall be accorded the right to inspect and review those educational records which the university maintains, with the exceptions as noted in 47.25 (c).

(b) Upon written request to the appropriate official, the university shall permit the student to review his/her records, subject to reasonable regulations as to time, place, and supervision. The university shall permit such inspection of records within a reasonable period of time, not later than 45 days after the request has been made.

(c) A student may not have access to the following records:

- (1) financial records of the student's parent or guardian submitted in support of the student's application for financial aid;
- (2) letters of recommendation written prior to January 1, 1975, provided such letters were solicited with assurance of confidentiality and they

were used only for the purpose for which they were specifically intended;

- (3) letters of recommendation written after January 1, 1975, provided such letters were solicited with assurance of confidentiality and the student has waived the right to inspect and review such letters.

- (d) The university shall give notice to students of their rights under this chapter.

- (e) The official custodian of records at the university is the Senior Vice President for Business Affairs. Because the university does not maintain a central repository for student records, inquiries for access to specific student records should be made to the university office or agency concerned with that particular record.

- (f) A student may challenge the contents of the student's educational records on the grounds that the record is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student by submitting a written statement to the official responsible for the maintenance of that particular record. If the dispute cannot be resolved by informal proceedings, the student may appeal through the vice president under procedures outlined in Chapter 49 requesting that a formal hearing be conducted.