



## **BOARD OF REGENTS POLICY:** ***Student Education Records***

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### **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shall mean the student's name, dates of enrollment, enrollment status (full-time, part-time, not enrolled, fully withdrawn, and date of withdrawal), academic program, academic advisor, college/school, class level (e.g. first-year, sophomore, and senior), academic awards and honors, and, 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 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. 6. 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 Group.**

*Student group* shall mean any group of students that is or has been registered as a University student group under applicable University policies or procedures.

**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 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 group, 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 available for the first time on the first day of classes of their first term of enrollment.

**Subd. 3. Access to Private Student Education Records.**

Access to private student education records shall be made available to the student that is the subject of the records, consistent with federal and state law, provided that the private information of others is not included or disclosed.

The University may disclose private student education records to the extent permissible under federal and state laws as follows:

- (a) to school officials with a legitimate educational interest in the information;
- (b) to persons specifically authorized by the student in writing to receive the information;
- (c) 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;
- (d) to organizations conducting research studies for or on behalf of educational agencies or institutions, provided the 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;

- (e) 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;
- (f) 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;
- (g) 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;
- (h) 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;
- (i) 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;
- (j) to parents of a dependent student as defined under the Internal Revenue Code;
- (k) 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;
- (l) the final results of 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
- (m) 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**

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**Adopted:** January 11, 1991

**Amended:** September 11, 1992; May 13, 2005; May 13, 2011; June 11, 2021

**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