

University of Wisconsin-Milwaukee  
REGISTRAR'S OFFICE

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**FERPA**  
**(Family Education Rights & Privacy Act)**

*Updated Spring 2020*

# Introduction

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This publication is a 2019 update of a manual originally published and distributed by the Office of Student Life in 1997. Its purpose is to assist UWM personnel in complying with the requirements of the Family Education Rights and Privacy Act commonly referred to as FERPA. In brief, the Act provides students:

1. The right to inspect and review the student's education records;
2. The right to request correction of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA;
3. The right to provide written consent to disclosure of those records, subject to exceptions;
4. The right to opt out of making directory information available without consent; and
5. The right to file a complaint with the U.S. Department of Education concerning alleged failure by UWM to comply with the requirements of FERPA.

Questions concerning the interpretation of this manual may be directed to the Registrar's Office or to the Office of Legal Affairs. Questions related to administrative procedures concerning this policy should be directed to the Registrar's Office. The Office of Legal Affairs provides legal advice to UWM's academic and administrative staff who are acting on behalf of the University.

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## Statement of Policies

UWM collects and retains data and information about students for designated periods of time for the express purpose of facilitating the student's education development. The University recognizes the privacy rights of individuals while balancing that right with the institution's need to manage information relevant to the fulfillment of its education missions.

The University further recognizes its obligation to inform the student of his/her rights under the Family Education Rights and Privacy Act of 1974 (FERPA); to inform the student of the existence and location of records as well as to define the purposes for which such information is obtained; to provide security for such material; to permit student access to, disclosure of, and amendment to this information; and to discontinue retention of such information when compelling reasons for its retention no longer exist. The policy of the University of Wisconsin-Milwaukee is:

- to afford each student the rights prescribed by the FERPA;
- to maintain student records for the purpose of fostering education objectives;

- to maintain and augment its system of student education records in a manner consistent with FERPA.

## Definition of Terms

### Attendance

“Attendance” at UWM includes both attendance in person and by means of paper correspondence, videoconference, satellite, internet, or other electronic information and telecommunications technologies.

### Directory Information

“Directory Information” is information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. While FERPA protects the privacy of education records, directory information may be disclosed by the University without student consent unless the student requests confidentiality (see p. 13-14 for an additional explanation of Directory Information).

### Education Agency/Institution

The University of Wisconsin-Milwaukee is an education agency or institution within the meaning of FERPA.

### Education Records

"Education Records" consist of information recorded in any way, including handwritten, print, computer media, video/audio tape, film, photographs, microfilm, microfiche, etc. when

such records are directly related to a student and maintained by UWM or by a party acting for the University, subject to certain exclusions provided by law as described below.

### **Exclusion to Education Records**

There are several types of student information that are excluded from the definition of education records as follows:

- 1. Sole Possession Records:**  
Records which are kept in the sole possession of the maker of the record, are used as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
  
- 2. Campus Law Enforcement Records:**  
Records, files, documents and other materials that are created and maintained by campus law enforcement units for law enforcement purposes.
  
- 3. Employment Records:**  
Employment records, made and maintained in the normal course of business, relating exclusively to individuals in their employee capacity and which are not available for other purposes. However, any employment records maintained concerning a person who is employed as a result of having student status do not fall within this exception.
  
- 4. Alumni Records:**  
Records about an individual that are created and received by UWM after that person is no longer a student at UWM. An example would be information collected by UWM pertaining to the accomplishments of its alumni.
  
- 5. Medical Records:**  
Records relating to a student which are:
  1. Created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, acting in his/her professional capacity or assisting in a paraprofessional capacity or assisting in a paraprofessional capacity;
  2. Made, maintained or used solely in connection with the provision of treatment to the student; and
  3. Not disclosed to anyone other than individuals providing such treatment.
  
- 6. Peer Grading**  
Peer graded papers/exams are not considered part of the education record before they are collected and recorded by the instructor.

### **Eligible Student**

An "Eligible Student" is any student who is currently attending or who formerly attended UWM.

FERPA does not apply to applicants to a school or college at UWM who have been admitted but who have not actually been in attendance.

### **Legitimate Education Interest**

“Legitimate Education Interest” means the demonstrated need to access education records by appropriate University Officials including administrators, faculty members, staff members, volunteers or contractors acting under the direct control of the University who require such access in order to perform their legitimate education and business duties.

### **Personally Identifiable Information**

"Personally Identifiable Information" is information contained in an education record that, alone or in combination, is linked or linkable to a specific student which would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Personally Identifiable Information includes a student's name, the name of the student's parents or their family members, the address of the student or the student's family, personal identifiers, such as the student's social security number, student number or biometric record, (e.g. fingerprints, retina and iris patterns, voiceprints, DNA sequence, etc.) or other indirect identifiers such as the student's date of birth, place of birth, and mother's maiden name, or any other information requested by a person who UWM reasonably believes knows the identity of the student to whom the education record relates.

### **University Officials**

A “University Official” at UWM is defined as a person employed by the University in an administrative, supervisory, academic or research or support staff position (including law enforcement unit personnel and health services staff); a person or company with whom the University has contracted to provide a services instead of using University employees or officials (such as an attorney, auditor or collection agent); a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

## **Notification to Students**

The Registrar's Office at the University of Wisconsin-Milwaukee shall have the primary responsibility of informing eligible students of their rights under FERPA. Registrar's Office shall annually notify eligible students in attendance at UWM of the information concerning their rights under FERPA. Among these rights are the following:

1. The right to inspect and review the student's education records;
2. The right to request amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA;
3. The right to provide written consent to disclosure of those records, subject to exceptions;
4. The right to opt out of making directory information available without consent; and,
5. The right to file a complaint with the U.S. Department of Education concerning alleged failure by UWM to comply with the requirements of

## Inspection and Review of Education Records

Eligible students may inspect and review their education records at UWM under the following procedures:

### Request to Inspect and Review Education Records

Since UWM does not have a centralized system of education records, eligible students must make a written request to the administrative person charged with the maintenance and control of the particular record(s) sought by the student. A list of the titles and addresses of the personnel responsible for maintenance of various records at UWM can be obtained by contacting the [Registrar's Office](#). All requests for copies of academic transcripts are governed by the procedures and schedules prescribed by the Registrar's Office for undergraduate students and the Graduate School for graduate students.

### Limitation on Right to Inspect and Review Education Records

No student may inspect or review:

- (a) Financial records of parents or other information contained therein;
- (b) Confidential letters and confidential statements of recommendation placed in the education record prior to January 1, 1975; provided that the letters and statements are only used for the purpose for which they were specifically intended; and
- (c) Confidential letters and confidential statements of recommendation where there has been a prior waiver of such rights and letters and statements are related to the student's admission to UWM, application for employment or receipt of an honor or honorary recognition.

Where education records of a student contain information on more than one student, the eligible student may inspect and review or be informed of only the specific information which pertains to that student.

### Waiver of Right to Inspect Confidential Letters and Statements of Recommendation

A student may waive the right to inspect and review confidential letters and statements of recommendation that are related to the student's admission to UWM, application for employment, or receipt of an honor or honorary recognition. A model waiver is attached as Appendix E.

Such a waiver may not be required as condition of admission or receipt of any service or benefits. Confidential letters and statements must be used only for the purposes intended.

**If a student has waived his or her right to this information, UWM will provide the student, upon request, the names of the individuals responsible for creating the letters**

**and statements. A student may revoke a waiver to inspect confidential letters and statements received by UWM after the revocation.**

### **Processing a Request to Inspect or Review Education Records**

Upon receiving a written request from an eligible student, the appropriate UWM office shall obtain the student's education record and review same. This review should determine:

- (a) Whether the information requested by the student is contained therein;
- (b) Whether the material contained in the file constitutes the student's education records in accordance with the definition contained in this policy manual;
- (c) Whether consultation is necessary with the Office of Legal Affairs and/or Registrar's Office.

### **Notification of Student**

The written request from an eligible student must be processed and answered within a reasonable time but no later than 45 days from the date the request is submitted. The student must be informed of the location and place where the education records may be examined.

### **Display of Records**

After appropriate processing as described above, the student shall be notified that the records requested may be inspected and reviewed. No student will be permitted to examine education records alone. A representative of the office providing the education records must be present at all times. Such representative shall respond to reasonable requests for explanations and interpretations of the records.

### **Explanation and Interpretation of Records**

All eligible students have a right to a response from UWM for explanation and interpretation of their own education records. If the person providing the record to the student is unable to provide a satisfactory answer, or if such person does not have adequate information to provide an immediate response, the student must submit the request for explanation in writing to the University Official indicated as having responsibility for the record being examined. An explanation shall be provided in writing to the student making the request within a reasonable time period.

### **Copies of Education Records**

If a student desires copies of any part of their education records, the representative of the office providing the records shall have the responsibility for obtaining same in accordance with Appendix C. Charges for copies requested shall be made in accordance with the fee schedule established by UWM's Public Records Custodian; however, UWM shall not charge a fee for searching for or retrieving education records. Copies shall be provided to the student within a reasonable period of time following the request for such records.

### **Obtaining Copies by Mail**

Any eligible student who is unable to come to the campus to submit a written request in person must submit appropriate information for verification of identity. This can be accomplished on the UWM Education Record Inspection Request Form (see Appendix B). If insufficient supporting data is provided by a student and/or the recipient and the UWM official has any reason to doubt the authenticity of the request, further information must be obtained from the requesting student.

## Recording Access

All written requests for inspection and review of education records by the eligible student shall be maintained permanently as a part of the education records of that student.

# Managing Education Records

## Destruction of Education Records

All education records must be retained or destroyed in a manner consistent with Sec. 16.61 Wisconsin Statutes (Records of State Offices and Other Public Records). No education records may be destroyed if there is an outstanding request to inspect and review them pursuant to rights recognized under FERPA.

## Record of Access and Disclosure

All UWM personnel charged with the responsibility of controlling records must keep a record of requests and disclosures, such as the log found in Appendix D, with the education records of the student which indicates each request and each disclosure of personally identifiable information from the education records of the student including the following:

- (a) the parties who have requested or obtained personally identifiable information from the education records of the students;
- (b) the legitimate interests these parties had in requesting or obtaining the information; and
- (c) *if the disclosure is made under the health and safety emergency exception* (see page 14) the articulable and significant threat to the health and safety of a student or other individuals, and the parties to whom UWM disclosed the information.

A record of disclosure need not be kept for disclosures that are:

- (a) to the student or parent, if the student is a dependent;
- (b) pursuant to the written consent of the student;
- (c) to University Officials (see definition of terms above);
- (d) of directory information only; or
- (e) pursuant to a Federal grand jury subpoena or other subpoena issued for a law enforcement purpose, and the court or issuing agency has ordered that the existence or contents of the subpoena or the information furnished in response not be disclosed, or pursuant to an ex parte court order obtained by the U.S. Attorney General (consult with the Office of Legal Affairs to see whether a record need not be kept in these circumstances).

The record of disclosures may be inspected by the eligible student or by UWM officials having responsibility for the custody of the education records. The record of disclosures shall be maintained for as long as the education records to which it pertains are maintained.

## Disclosure of Data from Education Records

UWM may release personally identifiable information in education records or allow access to those records only with the prior written consent of the student or under certain limited circumstances as permitted by law and described in this policy.

## Disclosure with the Student's Prior Written Consent

In order for UWM to release information from education records with prior written consent, the consent of an eligible student must be in writing and include the following elements:

- (a) A statement of the records to be disclosed;
- (b) The purpose of the disclosure;
- (c) The party or class of parties to whom the disclosure is to be made;
- (d) The date of the disclosure;
- (e) The signature of the student whose record is to be disclosed.

Prior written consent is not required when disclosure is made directly to the student or to other University Officials within the same institution where there is a legitimate education interest. A legitimate education interest may include enrollment or transfer matters, financial aid issues, or information requested by regional accrediting organizations.

Where the written consent of the student is required, Appendix F can be used and should be kept with the log described under Processing of Request. (p. 10).

## PAWS Access for Individuals Designated by the Student

The University provides students with the option to grant permission to designated individuals to access some portions of the student record contained within the PAWS student information system. By establishing designate accounts, students can grant permission to:

- View Grades
- View "To Do" Items (indicates if there are any missing items from a student's admission, financial aid or graduation file);
- View financial aid awards and billing statements, and;
- Make a payment.

When granting permission to access information via the PAWS student information system, students acknowledge that they understand that:

- They are allowing the designate of this account to access confidential education information in the areas selected;
- That this access in PAWS does not allow the designated person to call the University to ask questions about confidential records;
- That the release of private education records is covered by the Family Education Rights and Privacy Act (FERPA), and;
- That they are solely responsible for Designate Account access creation, access removal, password management and changes to the access of accounts.

For more information, visit [www.designate.uwm.edu](http://www.designate.uwm.edu).

## Disclosure to University Employees

UWM discloses personally identifiable information from the education records of a student without the written consent to appropriate University Officials (see definition above), including UWM faculty and staff, who have been determined to have a Legitimate Education Interest (see definition above) in viewing such records or their components.

The following criteria shall be taken into account in determining the legitimacy of a University Official's access to student records:

- (a) The official must seek the information within the context of the responsibilities that he or she has been assigned;

- (b) The information sought must be used within the context of official University business and not for purposes extraneous to the official's area of responsibility or to the University;
- (c) The information requested must be relevant and necessary to the accomplishment of some task or to making some determination within the scope of University employment;
- (d) The task must be determined to be consistent with the purposes for which the data are maintained. Requests related to institutional research and studies are subject to this criterion.

Disclosure to a University Official having a Legitimate Education Interest does not constitute institutional authorization to transmit, share, or disclose to a third party any information received. AN UNAUTHORIZED DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION FROM THE EDUCATION RECORD OF THE STUDENT IS PROHIBITED.

### **Disclosure of Directory Information**

UWM discloses personally identifiable information from education records if that information has been designated as directory information.

UWM designates the following information as **Directory Information**:

- 1) Student's name, address (mailing, home, e-mail), telephone number;
- 2) Date and place of birth;
- 3) Designation of school/college and level in school;
- 4) Major field of study;
- 5) Dates of attendance, including whether or not currently enrolled;
- 6) Enrollment status, including semester credit load and part/full time status;
- 7) Degrees earned and dates of graduation (includes anticipated graduation dates);
- 8) Honors and awards received, including academic awards (receipt of a scholarship or fellowship, inclusion on the Dean's list, or receipt of other academic awards);
- 9) Participation in officially recognized activities and sports;
- 10) Height and weight of members of athletic teams;
- 11) Previous higher education institutions attended.
- 12) Enrollment Delivery Mode.

Social security numbers and other ID numbers cannot be designated as directory information. UWM may designate a user ID or unique identifier for use by the student to access or communicate with electronic systems. Such identifiers may be used to access educational records only in conjunction with additional controls to authenticate the user's identity, such as a personal identification number or password.

UWM provides notice to current students of the categories of personally identifiable information which shall be treated as directory information. Current students have the right to "opt out of" the disclosure of personally identifiable information as directory information, current students should contact Registrar's Office in Mellencamp Hall, room 274. If the University receives an inquiry about an individual who has restricted the release of his/her directory information, the caller is told, "Our records do not reflect directory information for this individual. Either this person was not enrolled at UWM or the student has elected to restrict this information."

UWM may disclose directory information about former students without providing notice of the categories of information treated as directory information and an opportunity to "opt out of" the release of that information. However, UWM will continue to honor any valid request to "opt out

of” the release of directory information made while the student was in attendance unless the student has rescinded the opt-out request.

Although FERPA provides eligible students with the right to refuse the disclosure of personally identifiable information, it does not prevent a school from identifying the student in class. Students can be listed on class rosters and asked to participate in class by name, etc. The privacy rights afforded to students by FERPA were not intended to allow students to be anonymous in class.

## Disclosure in Health and Safety Emergencies

UWM may disclose personally identifiable information from an education record to appropriate parties, including parents of an eligible student, in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

In making a determination whether to release information in a health or safety emergency, UWM may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If UWM determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals. Whenever feasible, a UWM official making such a determination should consult with the Office of Legal Affairs prior to making such a release.

Note the record-keeping requirements for disclosures based on health or safety emergencies described above in **Maintaining Records of Access and Disclosure**.

## Disclosure to Parents

UWM may also disclose information to parents regarding their child’s violation of any federal, state, or local law, or any institutional policy or rule governing the use of alcohol or a controlled substances if:

- (a) UWM has determined that the student has committed a disciplinary violation with respect to that use or possession, and;
- (b) The student is under the age of 21 at the time of the disclosure to the parent.

The above disclosures to parents are not subject to the Redislosure limitations and notice requirements stated above.

## Disclosure to Other Schools

UWM may send education record information to another institution to which the student has enrolled or intends to enroll, so long as the disclosure is for purposes related to the student’s enrollment or transfer. If a student makes a request for a transfer of education record information no further notice of the transfer need be provided to the student.

UWM will, upon request and payment of fees in advance, provide a student with a copy of the education records transferred from the campus.

## **Disclosure of Information to Contractors**

Disclosure of information to third parties without prior written consent of the student is permitted in cases where the third party is under contract to the University to perform an institutional service or function for which UWM would otherwise use employees, is under the direct control of UWM with respect to the use and maintenance of education records, and is subject to the requirements of FERPA governing the use and redisclosure of personally identifiable information from education records. University personnel should consult with the Office of Legal Affairs before entering into any contract or arrangement which would involve UWM's disclosure of personally identifiable information from education to that entity.

## **Disclosure to Support Study and Research**

Under certain circumstances, the University may disclose personally identifiable information from a student's education records without prior consent if the disclosure is to an individual or organization conducting studies for, or on behalf of, the University to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. Such disclosure may be made only pursuant to a written agreement between UWM and the other party, which has been reviewed by UWM's Office of Legal Affairs and contains appropriate protection for the education records as required by FERPA. With respect to any student aid-related studies, please note that Section 483(a)(3)(E) of the Higher Education Act (HEA) strictly restricts the use of the FAFSA data, and states that data collected on the FAFSA form shall be used only for the application, award, and administration of aid awarded under Title IV student aid programs, state aid, or aid awarded by eligible institutions or such entities as the federal Department of Education may designate.

## **Disclosure of Sex Offender Information**

The University Police Department may disclose without consent to the campus community and others it deems appropriate information it receives from the State of Wisconsin about sex offenders and other individuals required to register under the Violent Crime Control and Law Enforcement Act of 1994. Disclosure by the University Police Department of sex offender information is not subject to the redisclosure limitations and notice requirements stated above.

## **Other Disclosures to Third Parties without the Student's Prior Consent**

UWM may disclose personally identifiable information from the education records of students to third parties without prior consent in other circumstances permitted by law, including the following:

- (1) To authorized representatives of:
  - (a) the Comptroller General of the United States;
  - (b) the Secretary of the United States Department of Education;
  - (c) the U.S. Assistant Attorney or higher ranking official;
  - (d) Department of Homeland Security (DHS) and its Immigration and Customs Enforcement Bureau (ICE) in order to comply with the requirements of SEVIS;
  - (e) State and local education authorities;

provided that disclosure to any of the above representatives is in connection with an audit or evaluation of Federal or State supported education programs, or enforcement or compliance with legal requirements relating to such programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activities on their behalf.

(2) To military recruiters under the conditions of the Solomon Amendment:

The Solomon Amendment (10 U.S.C. statutes 982; 32 C.F.R. 216, 65 F.R. 2056) allows military organizations access to information ordinarily restricted under FERPA for the purpose of military recruiting. Specifically, the Solomon Amendment permits Department of Defense entities to physically access institutional facilities to recruit students, and to obtain student recruiting information, regardless of whether it is designated as Directory Information by the University, for students over the age of 17. "Student Recruiting Information" includes:

- (a) students' names, addresses, phone numbers;
- (b) age (year of birth);
- (c) place of birth;
- (d) level of education;
- (e) academic major;
- (f) degrees received;
- (g) previous education institution at which student was enrolled.

Student Recruiting Information will not be released to military recruiters if the student has opted out of the disclosure of Directory Information to any third party (see **Directory Information** above).

(3) To appropriate authorities in connection with a financial aid application or financial aid received by the student, but only to the extent necessary:

- (a) to determine a student's eligibility for financial aid;
- (b) to determine the amount of financial aid;
- (c) to determine the conditions of the aid;
- (d) to enforce the terms or conditions of the financial aid.

(4) To accrediting organizations in order to carry out their accrediting functions.

(5) To comply with a judicial order or subpoena but only if UWM makes a reasonable effort to notify the eligible student of the order of subpoena in advance of compliance, so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with:

- (a) A Federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
- (b) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
- (c) An ex parte court order obtained by the United State Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S. 233b(b)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S. 2331.

This disclosure to comply with a judicial order or subpoena is not subject to the redisclosure limitations and notice requirements stated below.

(6) To the alleged victim of a crime of violence non-forcible sex offense, the final results of a disciplinary proceeding conducted by UWM. The disclosure of the final results of a disciplinary

proceeding will only include: the name of the student, the violation committed, and any sanction imposed by UWM against the student. However, UWM may not disclose the name of any other student, including a victim or witness, without prior written consent of the other student. This disclosure to the alleged victim is not subject to the redisclosure limitations and notice requirements stated below:

- (7) To anyone, the final results of a disciplinary proceeding, if UWM determines that:
- (a) The student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and
  - (b) With respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies.

However, UWM may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student. This section applies only to disciplinary proceedings in which the final results were reached on or after October 7, 1998. This disclosure is not subject to the redisclosure limitations and notice requirements stated above.

(8) To the Internal Revenue Service (IRS) for purposes of complying with the Taxpayer Relief Act of 1997.

(9) To a court, if UWM initiates legal action against a parent or student and the records are relevant for UWM to proceed as a plaintiff, or if a parent or eligible student initiates legal action against UWM, and the records are relevant for UWM to defend itself.

## Redisclosure and Notice Requirements

Where disclosure is permitted to third parties (anyone other than the student) under the preceding sections, disclosure will be allowed only on the condition that the recipient uses the information for the purposes for which disclosure is requested and makes no further disclosures to others without the prior consent of the student whose education information is provided (except as expressly permitted under 34 C.F.R. § 99.31, and to "authorized representatives" of certain federal, state or local officials as described in 34 C.F.R. § 99.35).

The following notice should accompany disclosure of any information from a student's record, signed and dated by the individual providing the records, with a copy maintained with the student's education record:

**UWM IS DISCLOSING EDUCATION RECORD(S) ON THE CONDITION THAT YOU WILL NOT FURTHER DISCLOSE THIS INFORMATION WITHOUT THE PRIOR WRITTEN CONSENT OF THE STUDENT AND THAT YOU WILL USE THIS INFORMATION ONLY FOR THE PURPOSE(S) FOR WHICH THIS DISCLOSURE HAS BEEN MADE, EXCEPT AS PERMITTED UNDER 34 CFR §§ 99.33 & .35.**

The above limitations on redisclosure and the notice requirement apply to ALL disclosures to third parties EXCEPT under certain limited circumstances that are expressly indicated in the preceding sections.

## Amendment of Education Records

## Request to Amend

Where an eligible student believes that any education record relating to that student is inaccurate, misleading, or in violation of the student's privacy, the student may request UWM to amend the records. The request to amend must be in writing and directed to the UWM personnel listed in Appendix A as having responsibility for the records in question. The request to amend must explain in detail the basis for the modification desired. This process, however, is not to be used for grade appeals or the appeal of other academic judgments. School, college or department procedures on academic appeals shall apply in those instances.

## Decision by UWM

Within a reasonable period of time after receiving the request and after consultation with the dean or division head, the appropriate person indicated in Appendix A must inform the student in writing of the decision concerning the amendment request. Where UWM declines to modify education records as requested, the decision must inform the student of the student's right to a hearing as stated below.

## Right to a Hearing

Whenever there is a request to amend the education records of a student and such request is declined by UWM, the student has the right to a hearing. The hearing shall be conducted in accordance with the following requirements:

- A. Hearing requests must be directed to the University Registrar.
- B. A hearing shall be held within fifteen (15) working days after the receipt of the request.
- C. Written notice of the date, time, and place of the hearing shall be given to the student at least five (5) working days in advance of same.
- D. The student will be provided a full and fair opportunity to present evidence relevant to the issues raised by the student relating to amendment of the education record.
- E. The student may be assisted at the hearing by individuals, including legal counsel, chosen by and paid for by the student.
- F. After conclusion of the hearing but not more than twenty (20) working days thereafter, the Student Records Appeals Committee shall issue a decision.
- G. The decision shall:
  - (i) be rendered in writing;
  - (ii) be based solely upon the evidence presented at the hearing and include a summary of the evidence and the reason(s) for the decision;
  - (iii) provide for the amendment of the education record(s) of the student, where it is determined that information within the education records is inaccurate, misleading, or in violation of the student's rights;
  - (iv) inform the student of the right to place in the student's education records a statement commenting on the contested information therein and/or setting forth any reasons. Where an explanation is placed by the student in accordance with this section, it shall be maintained as a part of the student's education records for

the duration of their retention by UWM. Such explanation shall also be disclosed to third parties whenever related education records are disclosed.

## **Complaints**

A student who believes that UWM has violated FERPA may seek to correct that violation with UWM by contacting Kristin Hildebrandt, Registrar's Office, Mellencamp Hall Room, 290.

A student may also file a written complaint with:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202-4605**

## **APPENDIX A**

### **STUDENT RECORDS MAINTAINED BY UWM UNITS**

The description of student's records which follow are not all-inclusive but are designed to provide the student a basis for determining where particular types of records can be located. Students should contact the officials having responsibility for maintaining student records for more detailed information on the type of records maintained by a particular University Department or Office. If unsure whom to contact in a particular school, college, or office, students should contact the Registrar's Office, who will provide the most up to date information for point people within other units.

Academic records may contain UWM placement test scores, class lists, grade reports, and other similar information on students enrolled in the school or college. Information of financial assistance is maintained for grants, scholarships, teaching assistantships and project assistantships awarded by the school or college. Statements of charges and formal hearing records are maintained for student disciplinary action involving cases of academic misconduct. Mailing lists containing a student's name and address are maintained on students enrolled in the schools or colleges.

### **Division of Academic Affairs**

#### **Academic Opportunity Center (AOC)**

##### **Admissions/Advising Component**

- Application files contain admission applications, transcripts, ACT, SAT and other admission test scores and, in some cases, writing samples for applicants to the program. The advising files contain copies of progress reports, registration materials and cumulative progress reports, for participants in AOC. Advising files also contain information on intended major and on attendance and progress of AOC students receiving tutoring from the Department.

### **Department of Admissions and Recruitment**

#### **Undergraduate Admissions Files**

- Application files for new and re-entering undergraduates and special students contain information from the admission application, high school transcripts, transcripts of other college work and related correspondence. (Undergraduate files are transferred to Undergraduate Records when an applicant becomes a registered student.) The test score files may contain ACT and SAT scores submitted by the prospective applicants and placement test scores when needed to determine admissibility. For undergraduate admission files contact:

## **University Special Student/Summer Session Admissions Files**

**Application records, as well as some transcript materials from other institutions, are maintained in this officeRegistrar's Office**

### **Registration and Records Files**

Records are maintained on registered undergraduate and special students. The records contain biographic information, information on pre-college work and work at other colleges, a cumulative record of courses taken and grades received at UWM, the degree conferred and the date of graduation. Records include current registration forms, changes of registration, student schedules, withdrawal forms and final grade lists.

### **Testing Office Records**

Test records include the name, student number and test scores for the admission and placement tests administered by the Testing Office.

### **Department of Financial Aid**

Records contain biographic and financial information on applicants for financial aid. Student folders contain material from federal processors, financial aid transcripts, institutional forms, copies of the student's or parent's income tax returns, interview records, offer letters and related correspondence.

### **Student Accessibility Center**

Information concerning the handling of requests for accommodations, services and the resolution of complaints will be found in the records of the office.

### **UWM Library**

Archival of permanent record cards for students attending the University from 1900 – 1960.

## **Division of Administrative Affairs**

### **Bursar's Office-Accounts Receivable**

- Records contain information on financial obligations and payments by students who are provided short term loans, federal Perkins Loans, Nursing Loans, Minority Doctoral Forgivable Loans and deferred fee payment plans. The records also contain information on delinquent obligations for student financials, day care, standard invoices, and salary over payments, and miscellaneous receivables. Information on individuals with financial obligations includes name, social security number and the last known address of the individual.

## **Division of Student Affairs**

### **Athletics**

- Student athlete eligibility records contain the name, address, date of birth, secondary school and graduation date, attendance record at all colleges/universities, length of military service, previous and current academic status, general information on financial aid received by the student athlete, and an authorization for release of financial aid information to the Department for participants in inter-collegiate sports. Sports information records contain information on the high school and college athletic activities of student athletes. Mailing lists, phone numbers and student ID numbers are maintained on participants in intramural activities and club sports.

### **Career Development Center**

Credential files contain recommendations reflecting academic work submitted on behalf of the student, a signed option sheet, and a resume or data sheet containing education background and work experience.

### **Office of Student Life - Dean of Students**

Student discipline files contain records of disciplinary actions taken and supportive material for such actions. Records on appeals and request for assistance submitted by students contain material related to the problems brought for resolution and information and the disposition of the matter.

### **University Housing**

University Housing registration records contain information on the room to which a student is assigned, the student's telephone and mailbox number, permanent address, sex and age. Student files contain signed housing contracts, information on room rate payments, complaints received from residents on financial matters and room assignments, and records on departmental actions relating to the housing contract. Financial records contain information on payment of room charges, bad check information, deferred room charge payments and collection actions. Records also contain information on forwarding addresses of residents who have vacated the residence halls.



## APPENDIX C

### REPRODUCTION OF EDUCATION RECORDS AND COLLECTION OF FEES

The University is prohibited by The Family Education Rights and Privacy Act from charging a student for the cost associated with retrieving his or her education records. The University, however, may charge a fee for copies of the records that are made for eligible students. Copies obtained in this fashion will not be considered official University transcripts.

#### **RECORD REPRODUCTION & COLLECTION FEE POLICY**

1. A standard charge per copy is to be assessed. The charge shall be determined and adjusted by the Custodian of Public Records. This charge is for the purpose of covering the personnel time and production costs involved in providing the copies of the record.
2. A charge for the cost of mailing is to be assessed when circumstances require the copies of records to be mailed.
3. The student is to be provided with a payment receipt for the copies requested.
4. All fees collected are to be deposited in the Cashier's Office within seven days of their receipt.



## APPENDIX E

### Letter of Recommendation Waiver Form

**STUDENT:** Please complete this form and give it to your recommender along with a stamped envelope addressed to the person or organization listed below as the recipient of the letter of recommendation.

Name of Student (please print) \_\_\_\_\_ Campus ID # \_\_\_\_\_

Name of Recommender (please print) \_\_\_\_\_

Letter of Recommendation Recipient \_\_\_\_\_

Purpose of Recommendation (must be one of the below), please select one:

- Admission to an education institution
- Application for employment
- Receipt of an honor or honorary recognition

#### Section A: Consent

In conjunction with the Family Education Rights and Privacy Act of 1974 I, the above named student, do hereby give the undersigned Recommender the right to release this letter of recommendation to any person or place designated by me. This consent is to remain in effect until revoked by me in writing.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

#### Section B: Waiver

I, the above named student,

- Hereby waive my right under the Family Education Rights and Privacy Act of 1974 as amended, to inspect and review such letter or statement.
- Hereby do not waive my right under the Family Education Rights and Privacy Act of 1974 as amended, to inspect and review such letter or statement.

Student's Signature \_\_\_\_\_ Date \_\_\_\_\_

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#### Section C: Recommender's Acknowledgement

**RECOMMENDERS:** Please sign this form to indicate your awareness of the student's choice regarding right of access to your letter of recommendation. It is suggested that the original waiver be attached to the original letter of recommendation, prior to the letter being mailed. A copy of the waiver should also be attached to any file copies.

Recommender's Signature \_\_\_\_\_ Date \_\_\_\_\_

**This form can be obtained from the Registrar's Office, Mellencamp Hall 290 or by calling 414-229-3800**