

**SUBJECT: Privacy Rights of Parents and Students**

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**PURPOSE**

To establish policy and procedures to protect the privacy rights of parents and students (irrespective of course delivery method), to ensure student access to educational records maintained by LSU Eunice, to provide definitions of material to be released from these records without student permission.

**DEFINITIONS**

Education records are those records which directly relate to a student and are maintained by the University or a party acting for the University. The term does not include:

- A. records of faculty members, division heads, directors, or other University personnel which are in the sole possession of the maker and are not accessible to or revealed to any other individual except a temporary substitute for the maker of the record;
- B. records created and maintained by the LSU Eunice Campus Security for the purpose of law enforcement;
- C. records of physicians, psychologists, and other professional persons who provide professional services to the student which are not part of the program of instruction of the University and which are not disclosed to anyone without the student's consent;
- D. records which contain only information relating to a person after that person is no longer a student at the University.

Personally identifiable information is that which, when associated with an educational record, allows the record to be identified with a specific person. This information includes (a) the name of the student, the student's parent or other family member; (b) the address of the student or student's family; (c) a personal identifier, such as a Social Security number or student identification number; (d) a list of personal characteristics which would make the student's identity easily traceable; and (e) other information which would make the student's identity easily traceable.

A student is any individual for whom the University maintains an education record; the term does not extend to a person who applies for admission until he/she has actually been in attendance at the University.

Date of attendance – the period of time during which a student attends or attended an educational agency or institution.

**PRIVACY RIGHTS OF PARENTS AND STUDENTS**

**I. Compliance**

LSU Eunice is in compliance with the regulations of the Family Educational Rights and Privacy

**SUBJECT: Privacy Rights of Parents and Students**

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45 Act, which ensures students and parents of dependent students access to their educational  
46 records maintained by the University, and which prohibits the release of personally identifiable  
47 information from these records without the student's permission except as specified in the Act.  
48 LSU Eunice's "Notification of Rights" under the Family Educational Rights and Privacy Act of  
49 1974 (FERPA) is attached.

50  
51 **II. Access to Education Records by Students and Parents of Dependent Students**

52  
53 A. Access by Students

54  
55 To gain access to their education records, students must submit a written request which  
56 identifies, as precisely as possible, the record(s) the students wish to inspect, or provide  
57 adequate personal identification, to the appropriate office, as follows:

58  
59 Student records – (courses taken, grades earned, academic actions, and application  
60 materials) – Address: University Registrar, Office of the Registrar, LSU Eunice, PO Box  
61 1129 Eunice, LA 70535

62  
63 College records – Division Heads in which the student is or was enrolled. Address: Division  
64 Head of \_\_\_\_\_, LSU Eunice, PO Box 1129, Eunice, LA 70535.

65  
66 Disciplinary records – Address: Vice Chancellor for Student Affairs, LSU Eunice, PO Box  
67 1129, Eunice, LA 70535.

68  
69 Financial records – Address: Vice Chancellor for Business Affairs, LSU Eunice, PO Box  
70 1129, Eunice, LA 70535.

71  
72 Undergraduate Admission records – Address: Registrar and Director of Admissions, LSU  
73 Eunice, PO Box 1129, Eunice, LA 70535

74  
75 Any student who has attended LSU Eunice may obtain a transcript of work completed  
76 provided the student is current in his or her financial obligations to the University.

77  
78 Students who have been enrolled on more than one campus of the LSU System must  
79 request records from the appropriate office on each campus.

80  
81 Access to records will ordinarily be provided within three (3) business days of the student's  
82 request. Under no circumstances will access be delayed more than 45 calendar days after  
83 the student's initial request.

84  
85 Students will not be permitted to inspect financial records and statements of their parents or  
86 any confidential letters and confidential statements of recommendation placed in their  
87 records before January 1, 1975.  
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**SUBJECT: Privacy Rights of Parents and Students**

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89 B. Access by Parents of Dependent Students

90 It is assumed that an undergraduate is not a dependent of his/her parents or guardians  
91 unless the University is notified to the contrary by the student or his/her parents or  
92 guardians.

93  
94 An individual claiming a student as his/her dependent shall provide to the Office of the  
95 Registrar and Director of Admissions an affidavit satisfactory to LSU Eunice stating that the  
96 student whose records are requested is a dependent of the affiant, as defined by section  
97 152 of the Internal Revenue Code of 1954. At the University's discretion, a copy of the IRS  
98 Form 1040 may be appropriate.

99  
100 Parents of dependent students have the same rights to access as do students, as noted in A  
101 above and in Section IV of this policy statement.

102  
103 **III. Scope of Student Rights and Procedures for Challenge**

104  
105 The information in the educational record may be challenged by the student (or parent of a  
106 dependent student) as inaccurate, misleading, or in violation of privacy rights of the student. In  
107 such instances, the University will consider whether or not to amend the record(s) in accordance  
108 with the student's request. A written decision will be communicated to the student within 60  
109 calendar days of the written request.

110  
111 If it is decided not to amend the record in accordance with the student's request, the student will  
112 be advised that he/she is entitled to a hearing in which he/she may formally challenge the  
113 content of the record in question. The conduct of the hearing will conform to the due process  
114 procedures specified in the General Education Provisions Act.

115  
116 Challenges and requests for hearings should be initiated in writing with the officer responsible  
117 for the maintenance of the record. (A grade may be challenged under the Act only on the  
118 grounds that it was inaccurately recorded or miscalculated.)

119  
120 Within 60 calendar days of receipt of the written request, the University shall inform the student  
121 as to whether the record(s) will be amended. If the decision is negative, the student may submit  
122 a written request for a hearing in order to challenge the content of the record(s).

123  
124 Within 30 calendar days of receipt of the written request for a hearing, the University will inform  
125 the student of the date, place, and time of the hearing and of the identity of the official in charge  
126 of the hearing. The notice will be mailed to the student at least two weeks in advance of the  
127 hearing.

128  
129 The student will be afforded a full and fair opportunity to present evidence relevant to the issues  
130 and may be assisted by individuals or an attorney at his/her expense. The University will  
131 announce its decision in writing within 30 calendar days of the conclusion of the hearing. The  
132 decision will be based solely on the evidence presented and will include a summary of the

**SUBJECT: Privacy Rights of Parents and Students**

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133 evidence and reasons for the decision.

134  
135 If, as a result of the hearing, the University decides that the student's record should be  
136 amended, it will amend the record(s). If not, the University will inform the student that he/she  
137 has the right to place in the records a statement commenting on the challenged information  
138 and/or a statement setting forth reasons for disagreeing with the decision. The statement will be  
139 maintained as part of the student's education records as long as the contested portion is  
140 maintained. If the University discloses the contested portion of the record, it must also disclose  
141 the statement.

142  
143 **IV. Release of Educational Records Under the Law Without the Student's Permission**

144  
145 Personally identifiable information from educational records cannot be released without the  
146 student's permission, except as follows:

- 147  
148 1. To LSU Eunice officials who have a legitimate educational interest as determined by the  
149 University. All students' education records are open to the Chancellor, the Vice-  
150 Chancellors, the division heads, and directors. In addition, the following individuals are  
151 also Louisiana State University Eunice officials:
- 152 a) A person employed by the University in an administrative, supervisory, academic,  
153 research or support staff position, including health and medical staff and teaching  
154 assistants and student assistants.
  - 155 b) A person appointed by the Board of Supervisors.
  - 156 c) A person employed by or under contract to the University to perform a special task,  
157 such as a University attorney.
  - 158 d) A person employed by the LSU Eunice Campus Security.

159  
160  
161 A school official has a legitimate educational interest if the official acts in the  
162 following capacities: is performing a task that is specified in his or her position  
163 description or contract agreement, related to a student's education or to the  
164 discipline of a student; providing a service or benefit relating to the student or the  
165 student's family (e.g., health care, counseling, job placement, financial aid, etc.); or  
166 maintaining the safety and security of the campus.

- 167  
168 2. To other educational institutions in which the student seeks to enroll (the student or  
169 parent, if the student is a dependent, may, upon request, obtain a copy of the record that  
170 was sent).
- 171  
172 3. To public officials as specified in the Act.
- 173  
174 4. To agencies and offices administering financial aid; only those records required in  
175 connection with a student's application for financial aid can be provided.
- 176

**SUBJECT: Privacy Rights of Parents and Students**

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- 177 5. To organizations for use in developing, validating, or administering predictive tests,  
178 administering student aid programs, and improving instruction. Such agencies must  
179 agree not to divulge personally identifiable records to outsiders and must agree  
180 ultimately to destroy these records.  
181
- 182 6. To accrediting agencies in order to carry out accreditation functions.  
183
- 184 7. To parents or guardians of students who are dependents for income tax purposes.  
185
- 186 8. To appropriate persons in the case of a health or safety emergency, if knowledge of the  
187 information is necessary to protect the health or safety of the student or other persons.  
188 An articulable and significant threat that formed the basis for the disclosure will be  
189 recorded and included in the student's education records for as long as those records  
190 are maintained.  
191
- 192 9. To courts of law in response to court orders or subpoenas. When responding to a court  
193 order or subpoena, the institution must make a reasonable effort to notify the student of  
194 all such orders or subpoenas in advance of compliance. Students will not be notified  
195 when the subpoena is issued by a Federal Grand Jury or for any law enforcement  
196 purpose, that orders the University not to disclose the existence or contents of the  
197 subpoena.  
198
- 199 a) A court order or subpoena is not necessary, and educational records may be  
200 released without student consent, in litigation involving the student and the  
201 University.  
202
- 203 10. To the alleged victim of any crime of violence as described in section 16 of title 18 of the  
204 United States Code, or of a non-forcible sex offense, the final results of any disciplinary  
205 proceeding conducted by the University against the alleged perpetrator of that crime with  
206 respect to that crime or offense. This disclosure shall not be limited to the alleged victim,  
207 and may be disclosed to the public generally. The final results of any disciplinary  
208 proceeding shall only include the name of the student, the violation committed, and any  
209 sanction proposed by the institution on that student, and may include the name of any  
210 other student, such as a victim or witness, only with the consent of that other student.  
211
- 212 11. To the parents or legal guardian of a student under the age of 21, information regarding  
213 any violation of any local, state, or federal law, or any rule or policy of the University  
214 governing the use or possession of alcohol or a controlled substance, when the  
215 University has determined that the student has committed a disciplinary violation with  
216 respect to such use or possession.  
217

218 Requests for release of personally identifiable information by persons other than  
219 University employees must be made in writing. Such requests will be recorded in the  
220 office maintaining the record from which the information is requested or released, and

**SUBJECT: Privacy Rights of Parents and Students**

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221 the record of release of information will be made a part of the student's educational  
222 record. The record of disclosure or of request for disclosure under such circumstances  
223 will include the name(s) of the person(s) who requested the information and the  
224 reason(s) for the request.  
225

226 **V. Release of Educational Records Under the Law With the Student's Permission**  
227

228 Requests for access to educational records by any person other than those listed in Section IV  
229 will be refused unless the student has submitted a written, dated, and signed waiver to allow  
230 access to his/her records. The waiver must specify the records to be released, the reasons for  
231 such release, and the names of the persons to whom records are to be released.  
232

233 **VI. Faculty Responsibility regarding Privacy of Students' Grades**  
234

235 Faculty members are responsible for maintaining the privacy of students' grades for any course  
236 or for any activity (project/test/quiz/paper) which is part of a course.  
237

238 This policy is violated if a student's grade is (1) openly discussed in class; (2) visible on papers,  
239 tests, or projects as they are returned, e.g., passed down the row or left on a desk to be picked  
240 up; (3) publicly posted in a personally identifiable manner; or released over the telephone to  
241 anyone other than the student or the parents of a dependent student.  
242

243 Disclosure of a student's grades by a faculty member may be made only in a manner that  
244 makes the grades identifiable only to the faculty member and the student.  
245

246 Since the social security number is classified as "personally identifiable information" (see  
247 definition on page 1 of this policy statement), the disclosure of grades with the student's social  
248 security number or name is not allowed without the student's written permission.  
249

250 **VII. Directory Information**  
251

252 Directory information is information available to the public, or specified sectors thereof, which  
253 may or may not be published in the Student Directory or other publications. Directory  
254 information is defined as follows:  
255

- 256 A. Student's name, address, and telephone listing
- 257 B. Student's e-mail address
- 258 C. Date/place of student's birth
- 259 D. Student's major field of study/classification
- 260 E. Student's participation in officially recognized activities and sports; weight and height of  
261 members of athletic teams
- 262 F. Dates of student's enrollment
- 263 G. Degrees, awards, and honors received by student
- 264 H. The photograph of the student

**SUBJECT: Privacy Rights of Parents and Students**

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265  
266 Students who wish to withhold any information in these categories should complete a form  
267 available in the Registrar's Office and indicate which items should not be considered directory  
268 information. The hold will remain in effect until the student requests that it be lifted. Only  
269 currently enrolled students may place a hold on the release of directory information.  
270

271 **VII. Record of Disclosures**

272  
273 A record of disclosures of personally identifiable, non-directory information from the educational  
274 records of a student will be maintained and made available to eligible persons upon request.  
275 This shall not include disclosures to school officials.  
276

277 **IX. Limitations**

278  
279 Louisiana State University Eunice is not required to permit a student to inspect and review the  
280 following records:  
281

- 282 1. Financial information submitted by parents  
283 2. Confidential letters or recommendations with respect to employment or honors to which  
284 students have waived rights to inspect  
285 3. Educational records which contain information on other students, only the specific  
286 information pertinent to the requesting student may be reviewed.  
287

288 **X. Authority**

289  
290 Section 513, P.L. 93-380, Education Amendments of 1974, which amends the General  
291 Education Provisions Act, Section 438.  
292

293 **XI. Final Responsibility for Interpretation of this Policy Statement**

294  
295 Final responsibility for interpretation of the provisions of this policy statement rests with the  
296 University Registrar, who is also the custodian of the student's official education record.  
297

298 The University Registrar is also responsible for ensuring that all LSU Eunice personnel who  
299 have access to educational records, either through University databases or printed reports,  
300 have indicated their awareness of this policy.  
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**SUBJECT: Privacy Rights of Parents and Students**

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302  
303 **LSU Eunice**  
304

305 **Notification of Rights under the**  
306 **Family Educational Rights and Privacy Act of 1974 (FERPA).**  
307

308 In accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA), post-  
309 secondary students enrolled at LSU Eunice are hereby notified of their rights with respect to  
310 their education records. They are:

311  
312 (1) The right to inspect and review the student's education records within 45 days of the day the  
313 University receives a request for access.  
314

315 Students should submit to the registrar, division head, vice chancellor, or other appropriate  
316 official, written requests that identify the record(s) they wish to inspect. The University official  
317 will make arrangements for access and notify the student of the time and place where the  
318 records may be inspected. If the records are not maintained by the University official to whom  
319 the request was submitted, that official shall advise the student of the correct official to whom  
320 the request should be addressed.

321  
322 (2) The right to request the amendment of the student's education records that the student  
323 believes are inaccurate or misleading.  
324

325 Students may ask the University to amend a record that they believe is inaccurate or  
326 misleading. They should write the University official responsible for the record, clearly identify  
327 the part of the record they want changed, and specify why it is inaccurate or misleading.  
328

329 If the University decides not to amend the record as requested by the student, the University will  
330 notify the student of the decision and advise the student of his or her right to a hearing regarding  
331 the request for amendment. Additional information regarding the hearing procedures will be  
332 provided to the student when notified of the right to a hearing.  
333

334 (3) The right to consent to disclosures of personally identifiable information contained in the  
335 student's education records, except to the extent that FERPA authorizes disclosure without  
336 consent.  
337

338 One exception which permits disclosure without consent is disclosure to school officials with  
339 legitimate educational interests. A school official is a person employed by the University in an  
340 administrative, supervisory, academic or research, or support staff position (including law  
341 enforcement unit personnel and health staff); a person or company with whom the University  
342 has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board  
343 of Regents; or a student serving on an official committee, such as a disciplinary or grievance  
344 committee, or assisting another school official in performing his or her tasks.  
345



**SUBJECT: Privacy Rights of Parents and Students**

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346 A school official has legitimate educational interest if the official needs to review an education  
347 record in order to fulfill his or her professional responsibility.

348  
349 Upon request, the University discloses education records without consent to officials of another  
350 school in which a student seeks or intends to enroll.

351  
352 (4) The right to file a complaint with the U.S. Department of Education concerning alleged  
353 failures by LSU Eunice to comply with the requirements of FERPA. The name and address of  
354 the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of  
355 Education 600 Independence Ave., SW, Washington, DC 20202-4605.

356  
357 FERPA further provides that certain information, designated as "directory information,"  
358 concerning the student may be released by the University unless the student has informed the  
359 University that such information should not be released.

360  
361 Directory information includes: the student's name, address, telephone listing; email address;  
362 date and place of birth; dates of enrollment; classification; major; degree(s), awards, and honors  
363 earned; participation in officially recognized activities and sports; and height and weight of  
364 athletes.

365  
366 A student who desires that any or all of the above listed information not be released must  
367 complete a non-disclosure form in the Office of the Registrar.