

Subject: **UNIVERSITY REGULATIONS- Chapter X**

## **CODE OF STUDENT RIGHTS AND RESPONSIBILITIES (“STUDENT CODE”)**

### SECTION VII: STUDENT RECORDS

#### A. General

The privacy and confidentiality of all student records shall be preserved as outlined in relevant federal and local laws (i.e. The Family Educational Rights and Privacy Act (20 U.S.C.A. §1232g) and the Government Records Access Management Act (U.C.A. §63-2-101)). University interpretation of the Family Educational Rights and Privacy Act as it pertains to University of Utah students is available from the office of the vice president for student affairs.

Official student records shall be maintained only by members of the University staff employed for that purpose. Separate record files may be maintained under the following categories: (i) academic, academic counseling, financial aid, and placement; (ii) disciplinary; (iii) medical, psychiatric, and health counseling. When justified by legitimate law enforcement needs, the campus security agency may maintain confidential records relating primarily to its investigative function.

#### B. Access and Challenge of Accuracy of Records

Access to the student's official records and files is guaranteed every student subject to the limitations set forth in relevant federal and local laws (i.e. The Family Educational Rights and Privacy Act (20 U.S.C.A. § 1232g) and the Government Records Access and Management Act (U.C.A. §63-2-101)). Students with complaints, inquiries, or requests for review of official records are directed to the vice president for student affairs.

#### C. Matters Prohibited in Official Records

Except as required by law or governmental regulations or as authorized by written consent of the student involved, official student records will not contain information regarding a student's race, religion, disability, political opinions, social opinions, or membership in any organizations other than honorary and professional organizations directly related to the educational process. Except as required by law or applicable governmental or University regulations, information regarding marital status shall not be included in the official student records of any student who has filed a written objection to the inclusion of that information in his/her records and has not filed a subsequent written revocation thereof.

#### D. Official Disciplinary Records

Records of behavioral or academic sanctions imposed by the Student Behavior Committee, by the Academic Appeals Committee, or by any authorized official of the University shall be maintained in the office of the dean of students and/or the office of the registrar. Records of behavioral, academic or professional misconduct may also be maintained in the official files of a department or program, and by the senior vice president for academic affairs or senior vice president for

health sciences. No notation of behavioral or academic sanctions shall be entered or made on the student's academic transcripts except in the following circumstances: 1) when the student is suspended from a program or from the University for academic or professional misconduct; 2) when the student is dismissed from a program or from the University for behavioral, academic or professional misconduct; or 3) when the student's degree or certificate has been revoked. In a case of dismissal, suspension, or revocation, the entry on the transcripts of the student shall merely state: "Dismissed from the University for Behavioral Misconduct" or "Dismissed/Suspended from the [program]/University for Academic/Professional Misconduct" or "Degree/Certificate Revoked for Academic/Professional Misconduct" and the date of such action. Notices of dismissal or revocation shall not be removed from the student's academic transcripts. Notices of suspension shall be entirely removed from the student's academic transcripts after the student is reinstated in the program or at the University. If the student is not reinstated due to his/her failure to fulfill the conditions of the suspension, the notice shall be removed five (5) years after the suspension is first imposed.

#### E. Confidential Character of Student Records

The University must conform to the requirements of the statutes referred to in Section A "General" and Section B "Access to and Challenge of Accuracy of Records" forbidding the release of personally identifiable student education records or files, or personal information contained therein, without the written consent of the student. Subject to applicable legal requirements, it is the policy of the University that:

1. Members of the administration and the instructional staff will have access to student records for legitimate purposes such as student advising, administrative planning and statistical reporting.
2. Directory information, such as the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities or sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, current semester class schedule, and other similar information may be disclosed to an inquirer unless the student specifically withholds permission to do so.
3. Authorized representatives of federal and state governments may have access to student records to the extent necessary for audit and evaluation of federally supported education programs or of compliance with federal legal requirements relating to such programs, and subject to the limitation that personally identifiable data shall not be disclosed except to the extent specifically authorized by federal law.
4. The right of access to a student's records without the consent of the student is not extended to the parents of the student unless the student has been established as a "dependent" as defined in Section 152 of the Internal Revenue Code of 1954.
5. Records created or maintained by a physician, psychologist, or other recognized professional or para-professional acting in that capacity, which are created, maintained, and used only in connection with treatment of a student are not

available for review except by an appropriate professional of the student's choice, or in compliance with an order from a court of competent jurisdiction.

F. Treatment of Official Records Following Graduation or Withdrawal

Upon graduation or withdrawal from the University, the official records of former students shall continue to be subject to the provisions of this code.