

# PRIVACY RIGHTS AND RECORDS

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## Privacy Rights and Access to Educational Records

This chapter is based on Section III.L. from the Illinois Institute of Technology Student Handbook.

### 9.1 Protection of Privacy

Illinois Institute of Technology respects the rights of privacy of its students and acknowledges the responsibility to maintain confidentiality of personally identifiable educational records.

#### 1. FERPA - Family Educational Rights and Privacy Act

Please visit [web.iit.edu/registrar/ferpa](http://web.iit.edu/registrar/ferpa) for Illinois Institute of Technology's official FERPA information. For general information about FERPA, please visit the U.S. Department of Education's website at [www.ed.gov/policy/gen/guid/fpco/ferpa/index.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html). Students can grant permission to release all or part of their record to specific individuals by completing the FERPA release form at [www.iit.edu/registrar/forms/view.php?id=12197](http://www.iit.edu/registrar/forms/view.php?id=12197). The following policies and procedures will be followed in regard to such records.

#### 2. Accessibility of Educational Records

Illinois Institute of Technology has adopted a policy of not disclosing personally identifiable information, other than directory information, from the educational records of a student without his or her prior written consent, except in the following instances:

- a. To school officials, including teachers, within the educational institution who have a legitimate educational interest
- b. To officials of another school in which the student seeks or intends to enroll, provided that a documented attempt will be made to notify the student of intended disclosure prior to submission of such information
- c. To certain authorized representatives of the United States and state agencies who require such information to carry out lawful functions
- d. In connection with the student's application for, or receipt of, financial aid
- e. To organizations conducting studies for, or on behalf of, educational agencies or institutions, if these studies are conducted in a manner that will not permit the personal identification of students and if the information will be destroyed when no longer needed for the purpose for which it is conducted
- f. To accrediting organizations in order to carry out their accrediting functions
- g. To comply with a judicial order or lawfully issued subpoena, with, except as prohibited by law, reasonable notice to the student of the intended disclosure prior to submission of such information
- h. To appropriate parties in health or safety emergencies
- i. To parents of dependent Illinois Institute of Technology students, as defined in Section 152 of the Internal Revenue Code of 1986

For purposes of this section, all students enrolled at the Illinois Institute of Technology shall be deemed to be independent of their parents. Any parent may challenge this assumption by presentation of evidence that such student does qualify as a dependent for federal income tax purposes.

School officials shall be deemed to include members of Illinois Institute of Technology's faculty and administrative staff that have a legitimate educational interest in such records and other personnel whose duties involve establishment and maintenance of such records and development of institutional reports. A "legitimate educational interest" shall be deemed to mean having a direct involvement in establishing or reviewing a student's academic record or performance.

### 9.2 Student Access to Records

Upon written request, students and former students of Illinois Institute of Technology shall be granted access to all of their personally identifiable educational records originated at Illinois Institute of Technology or submitted to Illinois Institute of Technology in connection with their admission, employment, or the granting of financial assistance with the following exceptions:

1. Notes or records of instructors, advisers, or counselors that would not be shown to any other individual except another faculty member, an adviser, or a teaching assistant.
2. For records involving other individuals (e.g., course grade lists, disciplinary reports) only that portion applicable to the respective student will be disclosed.
3. Records or statements supplied by the individuals within or outside Illinois Institute of Technology and other educational institutions or agencies that have been submitted under the assumption of confidentiality in connection with the admission, employment, or provision

of financial assistance, including financial statements provided by parents for purposes of supporting the student's application for financial aid; and letters of recommendation written, for which the student has signed a waiver of the right to inspect the letter.

4. Records of medical or psychological tests or treatment. The student nevertheless has the right to obtain a professional explanation of information in such records and to request that the records be referred for inspection to another qualified professional of the student's choice.

### 9.3 Obtaining Records and Maintaining Names of Recipients

For records originating at Illinois Institute of Technology, any person or organization having the right of access to any educational record may also obtain a copy of that record at a reasonable fee. In general, Illinois Institute of Technology will not provide to anyone, other than authorized faculty and staff at Illinois Institute of Technology, copies of any items in a student's educational record that have been submitted by individuals or organizations outside Illinois Institute of Technology; such copies should be requested from the source from which the record originated. An exception may be made in instances when the student can demonstrate that the original record has been lost, destroyed, or is otherwise unavailable (e.g., international students from schools no longer in existence or the death of a person from whom a reference was obtained). A cumulative record of all individuals or organizations other than the individual student and authorized faculty and staff at Illinois Institute of Technology who are granted access to and/or copies of a specific educational record will be maintained along with that record. On making a request, a student may inspect the cumulative list of all those who have been granted access to his or her educational record.

The right to inspect educational records does not apply to applicants for admission until such time as the applicant may be admitted, has completed registration, and is in attendance at Illinois Institute of Technology.

Students and former students of Illinois Institute of Technology may make an appointment to inspect individual educational records during regular office hours. To make an appointment, please contact the Office of the Registrar at 312.567.3100 or registrar@iit.edu, located at 10 W 35th Street, 2nd Floor, Chicago, IL 60616.

### 9.4 Student Challenges to the Accuracy of Records

A student may request that his or her educational records be amended if the student believes the records contain information that is inaccurate, misleading, or in violation of the student's privacy rights. The request should be made in writing to the Illinois Institute of Technology official maintaining the record and state specifically which part of the records should be amended and explain why the student believes such part is inaccurate, misleading, or a violation of his or her privacy rights. The Illinois Institute of Technology official will review the request and respond to the student within a reasonable amount of time. If there is a decision to amend the record, the student will be informed of such in writing.

If the Illinois Institute of Technology official decides against amending the record, the student may request a hearing on the matter. The request for a hearing must be in writing and be directed to the Office of the Registrar, who shall appoint a hearing officer to decide the matter. The hearing officer—a disinterested person in the matter—will conduct a hearing during which the student may be assisted, but only in an advisory fashion, by one or more individuals. The hearing officer shall prepare a written decision which will be based solely on the information presented at the hearing and contain a summary of what was presented and the reasons for the decision. The decision of the hearing officer shall be final and non-appealable. If there is a decision to amend the record, the student will be informed of such in writing. If the hearing officer denies the student's request to amend his or her record, the student will be notified in writing of his or her right to place in the record a statement commenting on the challenged information or stating why the student disagrees with the decision. This statement will remain a part of the student's record along with the contested portion of the record for as long as the record is maintained. The statement will be disclosed whenever the contested portion of the record is disclosed.

Students must complete an Educational Record Amendment FERPA Form to request changes to their records, which can be found at the following link: [web.iit.edu/registrar/ferpa#requesting-amendment-educational-records](http://web.iit.edu/registrar/ferpa#requesting-amendment-educational-records).

### 9.5 Maintenance of Directory Information

Illinois Institute of Technology reserves the right, absent submission of a written request by the student to the Office of the Registrar indicating that they do not want Illinois Institute of Technology to release their directory information, to release at its own discretion the following items of directory information about any student registered during a given term. Directory information includes:

- Name of student
- Date and place of birth
- Dates of attendance at Illinois Institute of Technology
- Local address, phone number, and e-mail address of student
- Home address and phone number of student
- Positions held, place of employment, and extension number of students employed by Illinois Institute of Technology
- Department of specialization and educational level (undergraduate; non-degree-seeking student; graduate student in masters or Ph.D. program) and most recent institution previously attended
- Membership in officially recognized campus organizations and on teams; offices held in such organizations

- Degrees earned and special awards and recognition given
- Photograph of student

Such directory information available from educational records kept by Illinois Institute of Technology may also be released concerning former students at Illinois Institute of Technology for the time during which they were registered as students at Illinois Institute of Technology.

## **9.6 Ethical Responsibilities of Faculty Members with Access to Records**

A faculty member who has a legitimate educational interest may obtain access to the educational records of a student. A faculty member should ordinarily limit his or her inquiries to the records of those students for whom he or she is serving as an adviser, or as to whom he or she is required to verify that prerequisites for course enrollment have been satisfied. It is not ordinarily a "legitimate educational interest" to review the grades from other instructors of students enrolled in a faculty member's classes, or of a student outside the faculty member's academic unit.

## **9.7 Change of Records Information**

Students should be advised to inform the Office of the Registrar and the academic unit if they change their name, social security number, mailing address, email address, or telephone number so that the university may contact them when necessary. Students may submit a Personal Information Change Request using this form: [my105.iit.edu/registrar/forms/view.php?id=19810](http://my105.iit.edu/registrar/forms/view.php?id=19810).