

UC Davis Policy and Procedure Manual

Chapter 320, Records and Archives

Section 21, Privacy and Disclosure of Information from Student Records

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Supersedes: 5/2/07

Responsible Department: Student Affairs

Source Document: UC Policies Applying to Campus Activities, Organizations, and Students; Section 130.00, Policies Applying to Disclosure of Information from Student Records

[Exhibit A, Procedures for Disclosing Grades and Distributing Student Work](#)

[Exhibit B, Types and Locations of Student Records](#)

[Exhibit C, Authorization for Disclosure of Information to Third Party](#)

[Exhibit D, Authorization for Disclosure of Information from Student Records for Letter of Recommendation or Reference](#)

[Exhibit E, Request to Inspect and Review Student Records](#)

[Exhibit F, Waiver of Access to Student Records](#)

[Exhibit G, Record of Disclosure](#)

I. Purpose

- A. This section supplements the systemwide policy on the privacy of information contained in student records, the right of students to review and inspect their own records, and the procedures for requesting corrections to records.
- B. This policy applies only to records pertaining to students in their capacity as students and does not apply to those records maintained solely for purposes unrelated to student status.
- C. Interns in the School of Medicine, School of Veterinary Medicine, and Betty Irene Moore School of Nursing are students for the purposes of this policy. Residents and Fellows in postgraduate training are not students.

II. Definitions

See UC Policies Applying to Campus Activities, Organizations, and Students; Section 130.20 for definitions of other terms used in this policy.

- A. Campus official—any person designated to perform an assigned function on behalf of the University, including an administrative, supervisory, academic, research, support staff, or student employee; a person serving on a University governing body; a student serving on an official committee (e.g., a discipline or grievance committee), or assisting another campus official in performing his/her tasks; or a contractor, consultant, volunteer, or other party to whom the University has outsourced institutional services or functions acting with a signed agreement that s/he will not use the information for any other purpose and will not disclose it without the student's consent.
- B. Confidential information—all personally identifiable information except that information defined as directory/public information, unless the student has designated his/her directory/public information confidential through the procedures described herein.
- C. Directory/public information—information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. UC Davis has defined the following as directory information:
 1. Student name
 2. Email address

3. Telephone numbers
 4. Major field of study
 5. Dates of attendance
 6. Enrollment status (e.g., undergraduate, graduate, or professional student)
 7. Number of course units in which enrolled
 8. Degrees and honors received
 9. Most recent previous educational institutions attended
 10. Participation in officially recognized activities
 11. Weight and height (for participants in ICA teams)
 12. Primary hospital assignment, field of residency training, and name of medical school awarding M.D. degree (for medical interns)
- D. Legitimate educational interest—information relevant and necessary to a task or determination that is an employment responsibility or an assigned subject matter for the inquirer and/or related to the inquirer's participation in the student's education; the discipline of a student; or providing a service or benefit related to a student or student's family (such as health care, counseling, job placement, or financial aid).

III. Policy

- A. Students' rights of privacy are guaranteed by the California State Constitution, the California Information Practices Act (IPA), the California Public Records Act (PRA), the Family Education Rights and Privacy Act (FERPA), UC Policies, and this policy.
- B. Unless a legal exception applies, students have the right to access campus records containing personally identifiable information about themselves, and student consent is required to disclose confidential information to non-University personnel.
- C. Directory information may be released without a student's prior consent unless the student notifies the campus in writing or via established electronic procedures that either his/her address and phone number, or all categories of information about the student, may not be disclosed (see IV.A, below).
- D. Personally identifiable information may be released without student consent as described in UC Policies Applying to Campus Activities, Organizations, and Students; Section 130.720.
- E. Appropriate student records, including academic, disciplinary and other records may be forwarded to other educational institutions in which a student seeks or intends to enroll or is currently enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
- F. Reasonable physical, technological, or administrative methods are used to ensure that campus officials obtain access to only those student records in which they have a legitimate educational interest.
- G. Grades may not be posted and graded papers or examinations may not be distributed in public locations via methods that disclose confidential information unless the students give prior written consent (see Exhibit A).

IV. Procedures

A. Designation of directory information as confidential

1. Contact the Registrar's Office to designate telephone number(s) as confidential; or to designate all information as confidential.
2. Contact Information and Educational Technology to designate email address as confidential.

B. Release of personally identifiable information

1. Information may be disclosed to third parties with the student's written consent (see Exhibit C).
2. Specific information for the purpose of a letter of recommendation or reference may be released with the student's written consent (see Exhibit D).
3. Campus officials with a legitimate educational interest may request access to student records.
4. Schools and departments must keep records of any disclosure of personally identifiable information, including name of the party requesting the record, the date of the request, the reason for disclosure, and the date of disclosure (see Exhibit G).

Schools and departments are not required to maintain records for disclosures to students of their own records; for disclosures to a party or parties to whom student has provided consent; disclosures to University officials when access to the records are necessary for the normal performance of assigned duties; for disclosures of public information; or for disclosures made pursuant to a subpoena or court order when the order specifies that the student is not to be notified of the order or of the records provided.

C. Access, inspection, and review

1. Students may request access to their records by submitting Exhibit E to the department or school responsible for the records (see Exhibit B).
 - a. Requests submitted via email must originate from the student's UC Davis email account.
 - b. Students will be required to provide their student identification number and proof of identity (i.e., Photo ID, birth certificate, driver's license, passport) before they are allowed access to any records.
2. Departments and schools must provide access to the records within 45 calendar days of the request.
 - a. At the department or school's discretion, the department or school may provide electronic or paper copies of the records, or provide supervised access to inspect and review the records.
 - b. If the department or school elects to provide supervised access and a student cannot come to the department to review the records, the department or school must provide copies. Fees, in the amount of 10 cents per copy may be charged.
3. Departments and schools must provide responses to reasonable student requests for explanations or interpretations of the content of their records.
4. Certain records, including but not limited to financial records of the student's parents or guardians, certain confidential records, records to which the student has waived access, or records containing personally identifiable information about other students that cannot be

redacted, are exempt from inspection and review (see UC Policies Applying to Campus Activities, Organizations, and Students; Section 130.40).

5. Students may voluntarily waive their right of access to confidential recommendations or evaluations regarding admission, application for employment or scholarship, or the receipt of an honor (for example see Exhibit F).

D. Requesting amendment

1. Students may seek amendment of their records if they believe the records contain inaccurate or misleading information.
 - a. Grades given for academic work are not subject to this process and must be resolved within the relevant department or through the appropriate academic procedure.
 - b. The process for amending records does not apply to substantive determinations and may not be used to seek to change the opinions, fact-finding, reflections, or decisions of a campus official, committee or other authority, contained in an education record (e.g., student disciplinary decisions).
2. Students must first seek amendment of records through informal discussion with the appropriate department official.
 - a. If discussion with the department does not resolve the matter, the student must submit a written request to the department head, specifying the contested record and explaining why s/he believes the record is inaccurate, misleading, or otherwise in violation.
 - b. The department head must respond to the student's written request within 45 calendar days.
3. If the matter cannot be resolved at the departmental level, the student may request an administrative review by submitting a written statement of concerns to Office of Student Support and Judicial Affairs (OSSJA) within 30 calendar days following postmark/email date of the department's denial.
 - a. OSSJA reviews the student's request and the department's denial, and may attempt to resolve the matter through conciliation.
 - b. OSSJA must provide written notice of the administrative review or outcome of the conciliation efforts within 30 days unless extended by 30 days for good cause.
4. If the administrative review does not resolve the matter, the student may request a fact-finding hearing to determine whether information in his/her student record is inaccurate or misleading.
 - a. The request must be filed in writing with OSSJA within 30 calendar days following conclusion of the informal administrative review.
 - b. The scope of the hearing is limited to determining whether records are inaccurate, misleading, or otherwise in violation.
 - c. The student and the department each have a full and fair opportunity to present evidence relevant to the issues raised in the request.
 - d. The hearing officer must be appointed by the Vice Chancellor—Student Affairs or designee. The hearing officer (an OSSJA or other campus official) must have no direct interest in the outcome of the hearing.

- e. The hearing officer will make a determination based on the preponderance of the evidence and will provide written notice of the decision to the student. This decision is final with no right of appeal.
 - 1) If the official finds in the student's favor, the record will be corrected and a notice of correction is sent to the student.
 - 2) If the official finds that the preponderance of the evidence does not support the request, the record remains unchanged and the student will be notified of his/her right to place a statement in the record such as comments on the contested information and any reasons for disagreeing with the decision to leave the record unchanged.

E. Alleged violations of privacy rights

- 1. Students who believe their privacy rights have been violated by improper disclosure of confidential information or denial of rightful access to student records may request an administrative review (see IV.D.2-3, above).
- 2. The OSSJA decision regarding alleged violations of privacy rights is final; there is no right to a formal hearing for such complaints.
- 3. Complaints regarding alleged violations of rights accorded students by FERPA may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202.

V. Further Information

- A. Additional information regarding matters such as disclosure of directory information and confidential information is available in UC Policies Applying to Campus Activities, Organizations, and Students; Section 130.
- B. Contact the appropriate office identified in Exhibit B for additional information regarding specific records.

VI. References and Related Policies

- A. [UC Office of the President:](#)
 - 1. UC Policies Applying to Campus Activities, Organizations, and Students; Section 130.00, Policies Applying to Disclosure of Information from Student Records.
 - 2. UC Records Disposition Schedules Manual.
 - 3. Business and Finance Bulletin RMP-8, Requirements on Privacy of and Access to Information.
- B. [Federal Educational Rights and Privacy Act, Title 20, U.S. Code, Section 1232\(g\); 34CFR, Part 99.](#)
- C. [UC Davis Policy and Procedure Manual:](#)
 - 1. Section 320-20, Privacy of and Access to Personal Information.
 - 2. Section 320-22, Collection and Confidentiality of Social Security Numbers.