



OLD DOMINION UNIVERSITY

University Policy

Policy #4100 STUDENT RECORD POLICY

Responsible Oversight Executive: Vice President for Student Engagement and Enrollment Services
Date of Current Revision or Creation: October 8, 2018

A. PURPOSE

The University Student Record Policy is formulated to protect the privacy of the student information that is maintained by the University, and provide access to student records to those having a legitimate reason to view such records. The regulations and procedures to ensure adequate protection of student records are provided in this policy.

B. AUTHORITY

[Code of Virginia Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 6.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

The University Student Record Policy is intended to conform with all State and Federal statutes dealing with access of information held by an educational institution on present and former students. ([FERPA Cite 20 U.S.C. 1232 \(g\); Government Data Collection and Dissemination Practices Act, Code of Virginia Section 2.2-3800, et seq., as amended.](#))

[Code of Virginia Section 23.1-405, as amended](#). Student records and personal information; social media.

C. DEFINITIONS

De-identified Data – Data are de-identified if a reasonable determination is made that the student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

Family Educational Rights and Privacy Act (FERPA) – The [Family Educational Rights and Privacy Act \(FERPA\) \(20 U.S.C. § 1232g; 34 CFR Part 99\)](#) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Personally Identifiable Information - Includes direct identifiers, such as social security number, as well as indirect identifiers, such as the name of the student's parent or family member or other personal information that would allow a reasonable person in the community to identify the student with reasonable certainty.

Proxy Access – A proxy is a person authorized to view student information by the student. This is authorized in the LEO Online Self Service pages. Proxies are authorized for specific pages, for a specific time frame.

Student Records refers to those files and their contents that are maintained by official units of the University.

D. SCOPE

This policy applies to authorized employees, employees of affiliated organizations paid through the University, contractors and volunteers accessing, for any reason, the records of all students who attend or have attended Old Dominion University. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons, including student employees, who are paid by the University. Affiliated organizations are separate entities that exist for the benefit of the University through an operating agreement and include the Foundations, the Community Development Corporation, and the Alumni Association.

E. POLICY STATEMENT

Generally, students have the right to review any official record that the University maintains on them. Generally, access to records by others, without student permission, is limited to purposes of an educational nature. When access is permitted, documents will be examined only under conditions that will prevent unauthorized removal, alteration or mutilation. Information to which the student does not have access is limited to:

- Financial records of parents or guardians;
- Confidential letters of recommendation received by the University prior to January 1, 1975;
- Specific confidential letters of recommendation received by the University on or after January 1, 1975, for which students have waived their right of access;
- Medical-psychological records used in connection with treatment of the student. Students may, however, sign a release to request copies of their health records; and
- Old Dominion University Police Department and Department of Human Resources records, when utilized for internal purposes by those offices in their official capacities.

The University Registrar is the custodian of the official academic record maintained by the University and is the office designated to release official transcripts on behalf of the University. The Office of the University Registrar is the initial point of contact for questions related to these rules. Subpoenas seeking education records are served on the Office of the University Counsel. No documents shall be released or information disclosed until University Counsel determines that the subpoena is valid.

Only the following offices are authorized to release non-directory information upon written authorization of the student, subpoena or court order: Office of the University Registrar, Career Development Services, Office of Finance, Student Financial Aid Office, Office of the Dean of Students, and Office of the Dean in each of the academic colleges and Advising

Centers. The non-directory information that these offices are permitted to release includes, but is not limited to, the following:

- Office of the University Registrar: admission records, cumulative academic records, Veteran's records, transfer records
- Career Development Services: information necessary to gain or maintain employment (part time, work/study, co-op/internship, full time)
- Student Financial Aid Office: financial aid records (scholarships, grants, etc.)
- Office of the Dean of Students: disciplinary and student organization records
- Office of the Dean in each of the Academic Colleges and Advising Centers: advising records
- Office of Finance: business records (tuition, fees, etc.)

The appropriate official will collect and maintain records not included in the categories listed above and will make them available for inspection and review.

1. Access to Student Records by the Student

- a. A student has the right to inspect his/her record (as defined earlier in this section) and is entitled to an explanation of any information therein. Most record information is available to students in the self-service system, Leo Online.
- b. Documents submitted to the University will not be returned to the student. Academic records received from other institutions will not be sent to third parties external to the University or released to the student. The student must request those records from the originating institution.
- c. Official records and transcripts of the University (signature and/or seal affixed) will be provided directly to other institutions or agencies at the student's request. Official records given directly to the student will be clearly marked "Issued to Student."
- d. Should a student believe his/her record is incorrect, a written request must be submitted to the appropriate University official indicating the incorrect information and the information that should be entered. The official will respond within 14 business days of the student's request.
- e. Students should be referred to my.odu.edu to view grades.

2. Access to Student Records by Others

- a. Old Dominion University hereby designates the following information as information that may be released to the public by the University – known as directory information under the Family Educational Rights and Privacy Act (FERPA). Such information may be disclosed by the institution at its discretion.
 1. Name;
 2. E-Mail address;
 3. Date of birth;
 4. Photograph;
 5. Major field of study;

6. Participation in officially recognized activities;
7. Weight and height of athletic team members;
8. Dates of attendance;
9. Degrees, honors, and awards received; and
10. The most recent educational institution attended.

Except as described in item 9 below, directory information will not be released for commercial purposes by administrative offices of the University.

- b. Students may withhold disclosure of directory information under the [Family Educational Rights and Privacy Act of 1974](#). To withhold disclosure, written notification should be submitted to the Office of the University Registrar. A form that can be used for this purpose is available from the Office of the University Registrar. A request to withhold directory information will remain in effect until rescinded in writing by the student.
 - c. Confidential information should not be released by telephone or any other method for which authentication of the requestor is not practicable.
 - d. All other student information will be released only upon written request of the student, except those instances cited below.
3. Disclosure to Members of the University Community
- a. Access to student records for administrative reasons for faculty and administrative staff is permissible provided that such persons are properly identified and can demonstrate a legitimate educational interest in the material.
 - b. Access to de-identified data for the purpose of research by faculty, administrative staff, and graduate students is permissible when authorized by the department head and the administrator of the office concerned. When applicable, documentation of human subjects review and approval is required.
 - c. Information requested by student organizations of any kind will be provided only when authorized by the Dean of Students.
4. Disclosure to Parents and Organizations Providing Financial Support to the Student
- a. Records may be released without prior student approval to a parent or guardian on whom the student is financially dependent. Parents or guardians must furnish Federal tax records for the prior year that demonstrate tax dependency to the Office of the University Registrar. Students will be informed when the record is released.
 - b. Records may be released to organizations providing financial support to a student upon official request and written waiver from the student.
5. Proxy Access for Identified Family Members

Students can grant access to family members in the self-service system, LEO Online. Management of proxy permissions is managed entirely by the student through granting of specific permissions for viewing the student's schedule of classes, bill, address information, grades, or transcript. Confirmation of proxy access is documented by email

communications between the self-service system, student and family member(s). The student may also create a passphrase known to the student and parent, but viewable by designated University staff if questions arise.

6. Disclosure to Other Educational Agencies and Organizations

Information may be released to another institution of learning, research organization, or accrediting body for legitimate educational reasons provided that any data shall be protected in a manner that will not permit the personal identification of the student by a third party. It is permissible to provide personally identifiable information to another institution to which the student intends to transfer or in which the student is dually enrolled.

7. Disclosure in Connection with Audit or Evaluation of Federal or State Supported Education Programs

Authorized representatives of the following entities are permitted access to student records when the disclosure is in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs:

- Comptroller General of the U.S.
- Secretary of Education
- U.S. Attorney General (for law enforcement purposes only)
- State and local authorities

Information collected for this purpose must be protected in a manner that does not permit personal identification of individuals by anyone except to the officials of the agencies identified above, and such records must be destroyed when no longer needed for the purposes identified above.

8. Disclosure to Military Recruiters in Response to a Solomon Amendment Request

The Solomon Amendment requires the institution to provide certain identified information to military recruiters even if the information has not been designated “directory information” under FERPA. The information provided may include only the following student information: name, telephone, age, date of birth, place of birth (not maintained by Old Dominion University), level of education, academic major, degree(s) received, and educational institution in which the student was most recently enrolled.

- a. This information can be provided once each semester to each of the eligible units within the five branches of service: Army, Army Reserve, Army National Guard; Navy, Navy Reserve; Marine Corps, Marine Corps Reserve; Air Force, Air Force Reserve, Air Force National Guard; and Coast Guard, Coast Guard Reserve.
- b. This information can only be withheld if the student has elected record confidentiality.

9. University-Affiliated Foundations and Organizations

Under very specific and clearly defined circumstances, University-affiliated Foundations or organizations may have access to student directory information and may release this information to third-party vendors for purposes of communicating with current and

former students as well as parents about benefits offered by the vendor. These circumstances may include, but are not limited to, affinity partnerships with the Alumni Association.

This information may be made available to third-party vendors only when a formal request is made to and approved by the University Registrar, and only if the use and dissemination of such information is consistent with University policies and procedures and State and Federal laws and regulations, including the [Federal Educational Rights and Privacy Act \(FERPA\)](#).

F. PROCEDURES

Administrators, faculty and staff who work with student records and confidential student information should complete training on the [Family Educational Rights and Privacy Act of 1974](#) offered by the Office of the University Registrar and available on-line in several formats. Questions about the policy and implementation should be referred to the University Registrar.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

H. RESPONSIBLE OFFICER

University Registrar

I. RELATED INFORMATION

[Virginia Freedom of Information Act, Code of Virginia Section 2.2-3705.4, as amended](#)
[American Association of Registrars and Admission Officers \(AACRAO\)](#)
[University Policy 3700 – Records Management Policy](#)
[ODU Alumni Association Affinity Partnerships](#)

