

Policy 930 Education Records Privacy and Release

Policy Number: 930

Effective Date: 6/1/16

Revised Date: 7/13/17; 11/09/2020

Scope

This Policy on Education Records Privacy and Release applies to faculty, staff, predoctoral researchers, summer scholars and applicants ("Covered Individuals") of The Graduate School of the Stowers Institute for Medical Research ("The School") and officials of the Stowers Group of Companies ("SGC").

Policy

The School conforms to standards established and accepted in higher education to protect the privacy of education records and provide rights to predoctoral researchers and their families with regard to access and privacy of academic records. This policy is designed to protect the privacy of education records of predoctoral researchers who are currently or formerly enrolled. Education records of predoctoral researchers who have applied to, but have not attended the School, are not subject to protections under this policy. It is the School's policy that no records of deceased doctoral researchers be released to third parties outside the context of this Policy, unless specifically authorized by the executor of the deceased's estate or by the next of kin.

The School provides the following rights to predoctoral records with respect to their education records:

- *The right, with some limitations, to inspect and review their education records within 45 days of the day the School receives a request for access*
Predoctoral researchers should submit a "Predoctoral Researcher's Request to Inspect Education Records" form to the School office to identify the record(s) they wish to inspect. The School staff will make arrangements for access and notify the predoctoral researcher of the time and place where the records may be inspected.
- *The right to request to amend the predoctoral researcher's education records that the predoctoral researcher believes are inaccurate or misleading, or otherwise in violation of the predoctoral researcher's privacy rights.*

Predoctoral researchers should write to the Dean for Administration & Registrar and name the record in question, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading or should be changed. If the School decides not to amend the record as requested by the predoctoral researcher, the School will notify the predoctoral researcher of the decision and advise the predoctoral researcher of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the predoctoral researcher when notified of the right to a hearing.

- *The right to limit disclosure of personally identifiable information contained in the predoctoral researcher's education records, except to the extent that this policy authorizes disclosure without consent.*

The School discloses educational records without a predoctoral researcher's prior written consent for disclosure to School officials with "legitimate educational interests." A School official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the School. Examples of people who may have access, depending on their official duties, and only within the context of those duties, include:

- A person employed by a SGC entity in an administrative, supervisory, academic, research, or support staff position (including security personnel and health staff)
- A person or company employed by or under contract to a SGC entity to provide a service instead of using the School employees or officials (e.g., third-party service providers of electronic education modules and/or tools, attorneys, auditors, etc.)
- A member of any SGC entity Board of Directors
- A person serving on a School committee, such as a disciplinary or grievance committee
- A person assisting a SGC official in performing their tasks

Additionally, the School can release information from the predoctoral researcher's education record without consent as follows:

- Directory information (unless a "Directory Information Restriction Form" is filed with the School)
- To federal officers as prescribed by law
- As required by state law
- To federal, state or local authorities involving an audit or evaluation of compliance with educational programs
- In connection with federal funding, including Veterans' benefits
- To organizations conducting studies for or on behalf of educational institutions, providing that the agencies guarantee no personal identification of predoctoral researchers
- To accrediting and state certification organizations
- To comply with a judicial order or lawfully issued subpoena¹
- In a health or safety emergency
- Results of a disciplinary hearing to an alleged victim of a crime of violence
- By security personnel to other law enforcement agencies in the investigation of a specific criminal case

¹ Subpoenas issued by courts outside the state of Missouri may be required to reissue the subpoena through a court within the state of Missouri (with the exception of certain federal court orders). Predoctoral researchers are generally notified when their records have been subpoenaed.

- To parents/legal guardians of predoctoral researchers who are dependents as certified according to IRS standards²
 - A predoctoral researcher's parent(s) or legal guardian(s) regarding the predoctoral researcher's use or possession of alcohol or controlled substance if it has been determined by the School that the predoctoral researcher's use or possession of alcohol or controlled substance constitutes a violation of a School rule or regulation; and the predoctoral researcher is under the age of 21 at the time of disclosure to the parent(s) or legal guardian(s)
 - In connection with an emergency, to appropriate person if the knowledge of such information is necessary to protect the health or safety of the predoctoral researcher or other persons
 - To educational agencies or institutions that request records when a predoctoral researcher seeks to enroll or is already enrolled
- *The right to be notified of Records Privacy and Release rights at least annually*

Additional Definitions

“Education records” are records that are (1) directly related to a predoctoral researcher and (2) maintained by the School, or a party acting for the School (if certain conditions are met), and include such records in any medium (e.g., handwritten, printed, electronic, video, or audio recordings). This includes transcripts or other records obtained from a school in which the predoctoral researcher was previously enrolled. A predoctoral researcher has the right of access to their education records, with the exceptions of information about other predoctoral researchers, financial records of parents, and confidential letters of reference to which the predoctoral researcher has waived access.

Additionally, the following information is not considered part of an education record:

- Sole possession records or private notes held by a School official that are not accessible or released to other personnel
- Law enforcement or security records that are solely for law enforcement purposes and maintained solely by law enforcement or the SGC Security Department
- Employment records where employment is not connected to predoctoral researcher status
- Records related to treatment provided by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional and disclosed only to the individuals providing treatment
- Alumni records created after the predoctoral researcher graduated from or left the School

² At the post-secondary level, parents have no inherent rights to inspect a predoctoral researcher's education records. Parents may obtain directory information at the discretion of the School. Parents may obtain non-directory information if the predoctoral researcher provides written consent. Parents also may obtain non-directory information at the discretion of the School and after it has been determined that the predoctoral researcher is a legal dependent (by Internal Revenue code) of the parent requesting the information. The parent will need to provide to the School a copy of their most recent Federal Income Tax return to document the predoctoral researcher's dependent status.

The School defines “directory information” as a predoctoral researcher’s:

- Name
- Local and home addresses
- Telephone numbers
- Email addresses
- Dates of attendance
- Enrollment status
- Educational institutions attended
- Participation in officially recognized activities
- Degrees, certificates, awards, and honors received
- Expected graduation date
- Thesis laboratory
- Photographs taken for School purposes such as website use and marketing materials

A predoctoral researcher has the option to request that some or all directory information be restricted. In order to maintain directory information as confidential, a predoctoral researcher must sign a “Directory Information Restriction Form” and submit it to the School. This restriction will be in effect when it is received by the School and until a predoctoral researcher amends a form and signs it, and submits the amended form to the School. Predoctoral researchers who submit a Directory Information Restriction Form should note that this action will exclude their name from certain School publications, but would not exclude their image from photographs/recordings of public events/appearances such as graduation ceremonies, symposiums, scientific meetings, etc.

For additional information, contact the Dean for Administration & Registrar.

This policy was approved by the GSSIMR Board of Directors on September 5, 2018.

This policy was last updated by the GSSIMR Board of Directors on November 09, 2020.

This policy will be reviewed by the GSSIMR Board of Directors in 2022.