



XAVIER UNIVERSITY

Family Educational Rights and Privacy Act (FERPA) Policy

Effective: January 27, 2026

Last Updated: n/a

Last Review: n/a

Responsible University Office: Office of the Registrar

Responsible Executive: Vice President of Strategic Enrollment Management

Scope: All university students, parents of dependent students, faculty, staff, contractual agents, and individuals requesting access to student information

A. REASON FOR POLICY (if applicable)

The Family Educational Rights and Privacy Act (FERPA) of 1974, 20 U.S.C. 1232g, and 34 CFR Part 99, as amended, is a federal law which, *among other things*:

- Confirms the right of privacy that each student has under FERPA
- Identifies who is a student under FERPA
- Explains what education records include and exclude
- Codifies the rights of students to inspect, review and challenge their education records
- Permits schools to release directory information to third parties without the consent of the student

The purpose of this Policy is to educate members of the Xavier community about FERPA and to bring together critical information about this federal law in one place. In the event of a discrepancy between this policy and information about FERPA found elsewhere in Xavier publications, this policy shall govern.

B. POLICY

All student information and education records pertaining to students that are maintained by the university are official university records, and as such, remain the property of the university.

1. Right to Inspect and Review Records

- a. With proper identification and a written request, students have the right to inspect and review education records that directly relate to them. The process for

inspection and review can be found in Section D (1). The records available to students for their review and inspection can be found in the definition of education records, see Definition C (3).

- b. Students do not have the right to inspect or review those records which are specifically excluded from the definition of education records. A list of documents that are not available for inspection or review can be found in the definition of excluded education records; see Definition C (6).

2. Student's Right to Challenge Information in Education Records

- a. Xavier students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or in violation of their privacy rights. The process for challenging the content of an education record can be found in Section D (2).
- b. FERPA does not permit a student to challenge a final grade in a course unless the final grade was inaccurately recorded by a school official. If a grade in a course was inaccurately recorded, students should follow the academic grievances process as outlined in the [University Catalog](#).

3. University's Right to Disclose Directory Information

- a. Xavier may disclose personally identifiable information from a student's education record without the student's consent if the information has been designated by the University as directory information.
- b. The information that Xavier has designated as directory information can be found in Section B (5).
- c. If a student does not want the University to release their directory information, they must submit a [Confidentiality Request Form](#) with the Office of the Registrar. This will be honored by the university until the student requests that it be removed.

4. Other Information the University May Release Without Consent

Along with directory information, FERPA permits the University to disclose personally identifiable information and/or education records without a student's consent as follows:

- a. To provide information to school officials who have a legitimate educational interest in the contents of the education record. For a list of who is considered a school official and what is a legitimate educational interest, see definitions in C (4) and C (8).
- b. To comply with a lawful subpoena or judicial order.
- c. To provide requested information to lending or other financial institutions in conjunction with a student's application for financial aid, or to verify the student's receipt of financial aid.
- d. To fulfill a request for information by parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954.

- e. To notify appropriate persons in the case of an actual, impending, or imminent emergency or threat of harm if the sharing of such information is necessary to protect the health or safety of a student or other people.
- f. To alert parents or legal guardians of a student under the age of 21 that their student has violated a federal, state or local law or any University rule or policy that governs the use or possession of alcohol or a controlled substance.
- g. To inform a victim of a crime of violence or sex-based offense the Final Result of any disciplinary proceeding conducted by the University concerning the student who is accused of committing or attempting to commit the violent crime or sex-based offense if the student is found responsible for violating the University's rules or policies. The disclosure of the final result shall include only the name of the student who was found in violation of the University's rules or policies; the particular violation(s) committed by the student; and any sanction imposed by the University against the student found responsible.
- h. To respond to requests by state authorities and agencies specifically exempted from the prior consent requirements by FERPA.
- i. To respond to authorized federal officials who have the need to audit and evaluate federally supported programs.
- j. To fulfill requests for information required by accrediting organizations.
- k. To provide information to school officials of other educational institutions to which the student seeks to transfer or enroll.
- l. To supply information to organizations conducting educational studies on behalf of the University, if such studies do not permit the personal identification of students to any persons other than to representatives of such organizations and if the personal identification data is destroyed when the study is concluded.

5. Required Annual FERPA Notice

- a. The Office of the Registrar shall provide all Xavier students with an Annual Notice regarding FERPA. At a minimum, this Annual Notice shall remind students of their privacy rights under FERPA; their rights to review, inspect and challenge the content of their education records; the processes to be followed to exercise those rights under FERPA; and what information the University is designating as Directory Information.

C. DEFINITIONS (if applicable)

1. **Eligible Students in Attendance:** Under the terms of FERPA, "eligible students" are those who have reached 18 years of age or are attending an institution of postsecondary education; and "attendance" includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

2. **Student:** An individual who is (or who was) officially matriculated at Xavier University and who attends (or has attended) classes at Xavier University and for whom the university maintains education records or personally identifiable information. It does not include people who have been admitted but did not attend Xavier University. Student status begins on the first day of the first term in which an individual is in attendance or when they are registered, whichever comes first. This definition does not include prospective students or applicants.
3. **Personally Identifiable Information:** Information that includes a student's name, address, Social Security Number, or other information that would allow a student to be identified. FERPA generally prohibits Xavier University from disclosing personally identifiable information from a student's education record without the student's consent unless the information has been designated as directory information or another exception applies.
4. **Education Records:** Records directly related (meaning personally identifiable) to a student and maintained by the University or by a party acting for the University, unless otherwise exempted. Common examples of education records include: grades, transcripts, course schedules, disability accommodations, admissions records of students (but only once they matriculate into Xavier), registration files, exams, papers, advising notes, certain financial aid materials (but see exclusion below), housing files, disciplinary-related records and files, work study records, and athletic records. It includes Department, College and University files, electronic records, emails, and all other such records held and maintained by the University or a school official.
5. **School Official:** A person employed by the University in an administrative, supervisory, instructional, academic, advising, research or staff position, including members of campus law enforcement, health and wellness staff; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; a student serving on an official University committee, such as a disciplinary or grievance committee; or a student assisting a school official in performing his or her duties and responsibilities.
6. **Directory Information:** Information that would **not** generally be considered harmful or an invasion of a student's privacy if disclosed and may be published or released by the University without consent of the student. Xavier University has designated the following information as directory information under FERPA:
 - student name
 - all addresses (including email) and telephone listings
 - date and place of birth
 - any photographs including One Pass photo
 - academic program and/or major field of study
 - enrollment status; number of hours registered and full or part-time status
 - class standing (freshman, sophomore, junior, senior, graduate)
 - participation in officially recognized activities and sports

- weight and height of members of athletic teams
 - dates of attendance
 - degrees awarded and total hours earned
 - special honors and awards
 - the most recent previous educational agency or institution attended by the student
7. **Excluded Education Records:** Not all records maintained by the University are considered education records. The following are not considered education records and students do not have rights to inspect or review them:
- Financial information submitted by their parents
 - Confidential letters and statements of recommendation for which the student has waived his/her right to access
 - Notes and records created by faculty, instructors or administrators to be used as a personal memory aid and remain in their sole possession and not available to a third party
 - Records maintained by the Xavier University Campus Police Department, provided they are held or maintained solely for law enforcement purposes
 - Treatment Records (medical and psychiatric) which are not made available to anyone except the treatment providers
7. **Parent:** A biological or adopted parent or a guardian or an individual acting as a parent in the absence of a parent or guardian.
8. **Legitimate Educational Interest:** A valid academic, business, or educational reason for a school official to have access to education records that contain personally identifiable information. When education records are accessed under this exception, the school official may not share the records, intentionally or inadvertently, with any other person to whom the disclosure could not otherwise legally be made. A school official has a legitimate educational interest if:
- The school official needs the information to do his/her job; and
 - The school official does not use the information for a purpose unrelated to the school official's position.

D. PROCEDURES

1. **Requests to Review and Inspect an Education Record**
- a. A designated school official shall provide the education record no later than forty-five (45) days after the student submits his/her written request for inspection.
 - b. The University may allow the student to look at the requested record, or in some instances may give the student a copy of the record. The cost of reproduction shall be borne by the student or requesting party and shall not exceed the actual cost to the University. The current charge for photocopying must be paid per page, per copy. The current charge for transcripts must be paid for a complete copy of the academic record.

2. Challenging the Content in an Education Record

Students may challenge the content of their education records through a hearing on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The process is as follows:

- a. Student submits a written request for a hearing to the Office of the Registrar and includes the following information:
 - the specific information in question
 - the reasons for the challenge
 - the desired correction, amendment, or deletion within the education record
- b. Within a reasonable period of time after receiving such requests, the University Registrar or designee will inform the student of the date, place, and time of the hearing.
- c. Hearings will be conducted by an impartial university official (the hearing officer), who does not have a direct interest in the outcome of the hearing.
- d. The student has the right to present evidence that the challenged material is inaccurate, misleading, or in violation of the privacy rights of the student.
- e. The hearing officer will render a decision, in writing, noting the reason and summarizing all evidence presented within a reasonable period of time after the challenge is filed.
- f. Should the hearing officer rule in favor of the student's request, the record will be amended accordingly.
- g. If the student's request to amend is denied, the student shall have the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the hearing officer, or both. If such a statement is placed in the education record, the University shall:
 - Maintain the student's statement with the contested education record for as long as the record is maintained
 - Disclose the student's statement whenever Xavier discloses the portion of the record to which the statement relates.
- h. Decisions rendered via this hearing process will be final and will be based on the evidence presented at the hearing, which could include information gained by the University Registrar or hearing officer by consulting with other University departments, so long as the evidence was presented at the hearing.

3. Custodians and Location of Education Records

- a. Xavier University does not maintain education records in one central office. Questions regarding individual student records, including access to them, should be directed to the appropriate office as listed below:

Records

Undergraduate Admissions
Graduate Admissions
I-20, Visa, Immigration Papers

Title of Office

Office of Undergraduate Admissions
Office of Graduate Services
International Student & Scholar Services

Academic Records
Alumni
Discipline
Housing
Financial Aid
Health/Medical
Psychological Counseling

Office of the Registrar
Alumni & Parent Relations
Office of Vice Provost for Student Affairs
Office of Residence Life
Office of Financial Aid
McGrath Health & Wellness Center
Psychological Services Center

The list above is not exhaustive. If a student would like to request a particular education record and is unaware of the office responsible, they should contact the Office of the Registrar for assistance.

4. Record Retention

Detailed education records, as defined above, are kept for variable amounts of time depending on the type and purpose of the record. For a better understanding of how long Xavier offices keep different types of education records, please see the [Records Management Policy](#) and [Records Retention Schedule](#), or contact the office responsible for keeping the records.

5. FERPA Training

All university employees will be required to complete FERPA training as part of the onboarding process and on a continuing regular basis via a university-wide training schedule.

6. Making a Complaint to the U.S. Department of Education

Students who believe that their FERPA rights have been abridged may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202.

E. EXHIBITS

Not Applicable

F. HISTORY

The details of this policy and associated procedures were formalized as a University Policy in 2025 but existed previously in the University Catalog in the section on Privacy Rights, and on the Registrar's website on the Family Educational Rights and Privacy Act webpage.

G. REVIEW SCHEDULE

Academic Year 27-28

Other applicable policies and/or resources:

[Records Management Policy](#)

[University Catalog](#)

[Student Handbook](#)