

## University of Maine at Farmington Confidentiality Notice – Your Right to Privacy

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### Official Records

The UMF Merrill Center maintains the official academic record of each student in perpetuity. The office also maintains each student's accurate mailing address and contacts students regarding official academic actions taken by the University. Students should use the [MaineStreet](#) portal to report any changes of home or mailing address. The University accepts no liability for failure to communicate official academic information or for inability to contact students in an emergency if up-to-date address information has not been reported to the University or recorded by the student in [MaineStreet](#).

### Policies and Practices in Handling Student Records

The Family Educational Rights and Privacy Act of 1974 protects the privacy of students. Under this Act, students have the right to inspect and review their education records and have the right to challenge records when they are inaccurate, misleading, or otherwise in violation of the student's privacy rights.

### Application of the Act

This Act applies to students presently enrolled at the University of Maine at Farmington, former students, and alumni, but not to applicants seeking admission to the institution.

### Educational Records and Information Maintained at UMF

The University does not maintain a single record or file consisting of all materials and information pertaining to students in any one location. Instead, various segments of the record are kept in a variety of offices.

Type of Record	Office
Academic	Merrill Center – Merrill Hall 224 Main Street
Admission	Admissions Office 246 Main Street
Athletics	Athletics Office – Dearborn Gymnasium 163 High Street
Counseling/Mental Health	Center for Student Development – Franklin Hall 252 Main Street
Disciplinary	Vice President of Student/Community Services - Merrill Hall 224 Main Street
Financial Aid	Merrill Center - Merrill Hall 224 Main Street
International Students	International and Exchange Programs - Franklin Hall 252 Main Street
Medical and Health	Student Health Center - Scott Hall 245 Main Street
Placement	Learning Assistance Center - Franklin Hall 252 Main Street
Veterans	Merrill Center - Merrill Hall 224 Main Street
Law Enforcement	Public Safety 112 Maguire Street

In addition, academic departments maintain education records which may include limited admissions and transfer credentials, data on academic progress in the area of concentration, faculty recommendations, advisors' comments relating to registration and changes of program, limited placement data, professional examination results, qualifying examination materials, and foreign language proficiency information. Individual department chairs are the custodians of these records.

### **The term "educational records" does not include:**

1. Records of faculty and administration that are in the sole possession of the maker, are used only as a personal memory aide and are not accessible or revealed to any other individual except a temporary substitute.
2. Law enforcement records maintained by Campus Security which are kept separate from educational records and which are created by a law enforcement unit for a law enforcement purpose;
3. Medical, psychiatric, or psychological records created and used only for the care or treatment of a student. These records may be made available to other appropriate treatment professionals at the written request of the student.
4. Employment records, except for records of students employed because of their status as students.
5. Records that contain information about a student which is obtained after she/he is no longer a student.

### **Directory Information**

The University of Maine at Farmington has designated certain information contained in the education records of its students as directory information for purposes of FERPA. Such directory information may be publicly shared by the University unless the student has taken formal action to restrict its release. Directory information includes: **name, address, email address, telephone number, date and place of birth, program of study, dates of attendance, enrollment status (full or part-time), degrees and awards received, most recent previous educational institution attended, participation in sports and activities, and appropriate personal athletic statistical data.** Students can make a request that their directory information not be released at any time while they are an enrolled student at the University. Students must submit a Request to Suppress Directory Information Form to the Merrill Center. Students can also sign in to the [MaineStreet](#) portal and select Student Center, then select Privacy Settings from the pull-down menu. Select "Do not release any directory information," then click Save in order to restrict release of Directory Information. The request will be honored until such time as the student requests otherwise in writing or changes the privacy setting in [MaineStreet](#). In the event that such notification is not made, the University assumes that the student does not object to the release of the directory information. Once a student is no longer enrolled at the University s/he can no longer request that their directory information not be released.

### **Student Rights**

The Family Educational Rights and Privacy Act (FERPA) gives students certain rights with respect to their education records. They are:

- I. The right to inspect and review the student's education records.
  1. A request by a student to inspect a record shall be made in writing to the office which maintains the record. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
  2. Every office is obligated to inform the student when the requested record will be made available. The office has up to 45 days to respond. In most instances, the response will be made promptly.
  3. Students are obligated to properly identify themselves (Student I.D.) before being shown their record.
  4. Students are obligated not to interfere with the normal operation of the office in which the record is being maintained.
  5. Students are obligated to examine the record during regular hours maintained by the particular office.
  6. Prior to giving a student his or her record for examination, all confidential data received prior to January 1, 1975, any information waived by the student, any information pertaining to other students and any financial records of parents will be removed.
  7. The examination of the record shall be supervised.
  8. Copies of records shall, upon request, be transmitted to the student after payment of established fees for such copies, unless payment of the fee prevents access.

- II. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading or in violation of the student's rights of privacy.

After reviewing a record, a student has the right to challenge the content of the record as being inaccurate, misleading, or in violation of the student's rights of privacy. For purposes of this policy, a student may not challenge the judgment of a grade which has been assigned to his or her performance in a course but may challenge the accuracy of the recording of a grade.

After reviewing a record and deciding that some aspect of the record is incorrect, misleading, or otherwise in violation of the privacy rights of the individual, the student may challenge the contents of the record and attempt to resolve the problem through informal discussions with the custodian of the record. If no agreement is reached in this manner, the student should file a request in writing to the President for a formal hearing in order to challenge the contents of the record.

Hearing procedures will be established and conducted in a reasonable period of time with a decision rendered in writing by an impartial official of the institution.

- III. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. The University of Maine Farmington will disclose information from a student's education records only with the written consent of the student, except for disclosures to the following:

1. To school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, support staff (including Public Safety, Center for Human Development and Student Health Services staff), or an athletic coach; a person or company with whom the University has contracted (such as an attorney, auditor, National Student Clearinghouse or collection agent); a person serving on the Board of Trustees; a University volunteer working under the supervision of another school official; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
2. To authorized federal or state officials in connection with an audit or evaluation of federal or state supported educational programs.
3. To state or local officials pursuant to state statute concerning the juvenile justice system.
4. Records released in connection with the student's application for, or receipt of, financial aid.
5. Organizations conducting studies on behalf of educational agencies in connection with predictive tests, student financial aid programs, or the improvement of instruction provided that the identity of students is not revealed to other than representatives of such organizations. Such information will be destroyed when no longer needed for the purpose for which the study was conducted.
6. Recognized accrediting organizations in order to carry out their accrediting functions.
7. Records released on the basis of judicial order or lawfully issued subpoena and on condition that every effort is made to notify the student of the subpoena or order, except where a court or other issuing agency has ordered that there be no notification.
8. In an emergency, appropriate persons as determined by the custodian of the records, if the knowledge of information from the particular record is necessary to protect the health or safety of the student or other persons.
9. Disclosure to another educational institution where the student seeks or intends to enroll.
10. Disclosure of directory information.
11. Disclosure to the student.
12. Disclosure of the final results of a disciplinary hearing to a victim of an alleged crime of violence or non-forcible sex offense.
13. Disclosure of the final results of a disciplinary hearing involving an alleged crime of violence or non-forcible sex offense where a violation was committed.
14. Disclosure in a legal action between the institution and the student.

Records released to any individual or group shall be transmitted on condition that the individual or group is informed that they may not permit any other party to have access to such information without the written consent of the student. The recipient shall also be notified in writing that if compliance with this requirement is not acceptable, all records shall be returned, unused, to the institution. The prohibition on the re-release of records does not apply in the case of disclosures of directory information; disclosures pursuant to a subpoena, court order or litigation; disclosure to the parents of a dependent student; disclosures to the student; or disclosures of the final results of a disciplinary hearing involving an alleged crime of violence or non-forcible sex offense where a violation was committed.

Each office that maintains educational records shall maintain a record for each student with that student's education record. The record shall list all individuals, agencies or organizations which have requested or obtained access to and each disclosure of the student's education record (except institution officials, court or law enforcement officials, disclosures to the student, disclosures of directory information and disclosures that have been made with the consent of the student, described above).

- IV. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Maine at Farmington to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC, 20202-4605

### **Expunging Records**

The official academic record of a student is maintained in perpetuity by the institution. The Merrill Center is the custodian of this record. No other record is officially designated as a permanent record. Other records can be expunged at the discretion of specific department heads wherein a record resides except when a request to inspect and review the record is pending.

Departments and offices which maintain educational records may have specific policies regarding access to and retention of such records which are consistent with this Policy and FERPA. Students seeking information about those specific policies should contact the particular department or office which is the custodian of the record.