

## **16 Confidentiality of Student Records**

### **16.1 General**

#### STATEMENT OF RESPONSIBILITY FOR CONFIDENTIALITY OF STUDENT RECORDS

Security and confidentiality are a matter of concern to all persons who have access to student information. Each person using student information holds a position of trust relative to this data and must recognize the responsibilities delegated to him or her in preserving the security and confidentiality of this information. Since conduct either on or off the job could affect the security and confidentiality of this information, each person authorized to access student information is expected to adhere to the following standards.

### **16.2 Standards**

#### Confidential Information Indicator

If a student completes a “NON-DISCLOSURE OF ACADEMIC RECORDS FORM“ and submits it to the Office of the Registrar, the student’s directory information WILL NOT be disclosed to the public. The Office of the Registrar will flag the student's record with a confidentiality indicator and the message CONFIDENTIAL will display in the upper left corner on any Banner form with the ID in the Key information.

The specific directory information the student has requested remains confidential will be entered on the SPACMNT (Comment) form in General Person using the Comment Type codes. Once restrictions are in place they can be removed only by the written request of the student.

### **16.3 Guidelines**

#### ***16.3.1 FERPA***

The Family Educational Rights and Privacy Act of 1974, establishes requirements regarding the privacy of student records. FERPA governs:

- Release of "education" records maintained by an educational institution.
- Access to these records.

#### ***16.3.2 Directory Information***

Based on FERPA guidelines as outlined in the North Carolina A&T State University Access to Student Records policy, "Directory Information" for enrolled students is eligible for release unless the student requests that it be held confidential. North Carolina A&T State University designates the following student information as "Directory Information":

Student name, address, telephone number, e-mail address, date and place of birth, major, participation in officially recognized sports and activities, weights and heights of athletes, dates of attendance, degrees and awards received and the name of the most recent previous institution.

### ***16.3.3 Disclosure Policies***

All personally identifiable information not covered under "Directory Information" is confidential and shall be disclosed by the University only as provided in University Policies. No information, "public" or private, on applicant records may be released outside of the University until the applicant has become a registered student and has a chance to prohibit release, except to agents designated by the applicant.

Students are notified on an annual basis of their rights under FERPA, including the right to request that directory information be restricted. North Carolina A&T State University reserves the right to make directory information public unless the student has filed a "NON-DISCLOSURE OF ACADEMIC RECORDS" form with the Office of the Registrar.

### ***16.3.4 Non-Disclosure of Academic Records***

If a student completes a "Non-Disclosure of Academic Records" form and submits it to the Office of the Registrar, their name, address and phone number WILL NOT be included in the annual NCA&T Student Directory and this information WILL NOT be disclosed to the public. The student's record will be flagged with a confidentiality indicator and the message CONFIDENTIAL will display in the upper left corner on any Banner form with the ID in the Key information. A Comment Type code of "DIR" will be entered on the SPACMNT (Comment) form in General Person.

### ***16.4 Handling of Human Resource Records***

All information processed through the Offices of Human Resources and Salary Administration are considered sensitive and/or confidential. Article 7, G. S. 126, prescribes the basic provisions for maintenance and use of State employee personnel records, with the State Personnel Commission establishing rules and regulations for safekeeping of such records. These provisions apply to current State employees, former State employees, and applicants for employment. Access to information is based on a legitimate "need to know" and directly related to assigned duties within the university. Additional information may also be found in the State Personnel Manual. The manual contains the policies, regulations and procedures of the Office of State Personnel which apply to employees covered by the State Personnel Act.

<http://www.osp.state.nc.us/manuals/dropmenu.html>

### ***16.5 Handling of Health Information***

Offices should make every effort to comply with the Health Insurance Portability & Accountability Act (HIPAA) in protecting the privacy of personal health information of students and employees. A major purpose of the HIPAA Privacy Rule is to define and limit the circumstances in which an individual's protected health information may be used or disclosed by involved entities.

Additional information can be found at the following web site:

<http://www.hhs.gov/ocr/hipaa/>