16.01.02.C1 Protection of Educational Records and Personally Identifiable Information

Approved: July 14, 2023
Next Scheduled Review: July 14, 2028

Rule Summary

Texas A&M University-Corpus Christi (TAMU-CC) complies with the Family Educational Rights and Privacy Act (FERPA). This rule establishes a process for managing education records and personally identifiable information in compliance with federal and state privacy laws.

Rule

1. GENERAL

    1.1. The President has designated the University Registrar as the FERPA official and responsible person for overseeing TAMU-CC's FERPA compliance program for all educational records.

    1.2. Information on FERPA on how it applies to students, parents, and faculty is published on the University Registrar's website.

2. DISCLOSURE OF INFORMATION

    2.1. Directory information, as designated by TAMU-CC, can be disclosed without the student's consent. A list of items designated as directory information can be found on the University Registrar's website. TAMU-CC complies with the Public Information Act (Texas Government Code, Chapter 552) and acts accordingly to provide directory information when formally requested.

        2.1.1. A formal request for directory information is submitted through the Office of Open Records. The request must be in writing and will be routed to the designated public information officer. More information on the open records request process and university designee(s) for this process can be found on TAMU-CC's Open Records website.

        2.1.2. After the open records request is submitted, it is vetted through the

University Registrar for compliance with FERPA before any information is disseminated to the requestor.

2.2. A student is considered to be in attendance at TAMU-CC for purposes of FERPA on the first day of classes of their first term at TAMU-CC.

2.3. As part of the notification sent under Section 3.1 of this rule, TAMU-CC publicly notifies students of the categories of personally identifiable information that TAMU-CC has designated as directory information, a student's right to opt out of the release of their directory information, and the timing and process for a student to notify TAMU-CC in writing of their decision to opt out.

2.4. Students are provided with the opportunity to opt out of the release of their directory information by providing a written notice in accordance with TAMU-CC's process.

2.4.1. A student's notification of their decision to opt out of the release of their directory information prohibits the student's name from appearing in university-related publications and requests for directory information.

2.4.2. These notifications of decisions to opt out do not limit the student's name from appearing on class rosters or other internal university documents.

2.4.3. Until a student submits a written request for reversal to the University Registrar's office, the student's personally identifiable information covered by their notice of their decision to opt out will be treated as non-directory information.

2.5. Except as otherwise authorized by FERPA, TAMU-CC may not disclose any non-directory information to any parties without first obtaining a student's written consent in accordance with FERPA. This consent is provided to the University Registrar's office via a FERPA waiver (see Appendix).

2.6. TAMU-CC may permit another Texas A&M University System member university or other third party to access or maintain education records on behalf of TAMU-CC as permitted by FERPA. TAMU-CC must enter into a written agreement with the system member university or third party, and the agreement must contain a FERPA clause. The University Registrar is responsible for reviewing the agreement and approving the disclosure of the educational records to the approved system member university or third party.

3. NOTIFICATION, TRAINING, AND ENFORCEMENT

3.1. An annual notification providing information on student rights under FERPA is sent to all active and enrolled students in the fall term of each academic year. The notification is created by the University Registrar and sent to the Division of Student Engagement and Success for distribution to all students. Prior to the distribution to students, this notification is submitted for review to The Texas A&M University System Office of General Counsel.

3.2. All TAMU-CC staff members that create, access, maintain, or disclose educational records are required to take the 11012 FERPA course provided in TrainTraq on an annual basis in accordance with university procedure *33.05.02.C0.01, Required Training for Employees and Affiliates*.

3.3. TAMU-CC's FERPA official, the University Registrar, works with the Office of Information Security to investigate and hear cases of potential FERPA violations or disclosures, breaches of system security, or other incidents resulting in the unauthorized access, disclosure, or use of personally identifiable information.

Related Statutes, Policies, or Requirements

Family Educational Rights and Privacy Act (FERPA)
Tex. Gov't. Code, Chapter 552
System Regulation *16.01.02, Privacy*
University Procedure *33.05.02.C0.01, Required Training for Employees and Affiliates*
University FERPA website

Appendix

FERPA Waiver

Contact Office

Contact for interpretation and clarification:	University Registrar 361.825.2515