

Appendix N

Privacy Rights and Access to Educational Records

I. Protection of Privacy

Illinois Institute of Technology respects the right of privacy of its students and acknowledges the responsibility to maintain confidentiality of personally identifiable educational records. The following policies and procedures will be followed in regard to such educational records.

A. Accessibility of Educational Records

IIT has adopted a policy of not disclosing personally identifiable information, other than directory information, from the education records of a student without his or her prior written consent, except in the following instances:

1. to school officials, including teachers, within the educational institution who have a legitimate educational interest (see Sections I.C. and VI, below);
2. to officials of another school in which the student seeks or intends to enroll, provided that a documented attempt shall be made to notify the student of intended disclosure prior to submission of such information;
3. to certain authorized representatives of the United States and of state agencies who require such information to carry out lawful functions;
4. in connection with the student's application for, or receipt of, financial aid;
5. to organizations conducting studies for, or on behalf of, educational agencies or institutions, if these studies are conducted in a manner that will not permit the personal identification of students and if the information will be destroyed when no longer needed for the purpose for which it is conducted;
6. to accrediting organizations in order to carry out their accrediting functions;
7. to comply with a judicial order or lawfully issued subpoena;
8. to appropriate parties in health or safety emergencies; and
9. to parents of dependent IIT students, as defined in Section 152 of the Internal Revenue Code of 1986 as amended.

B. Independent Status of Student

For purposes of this section, all students enrolled in the university shall be deemed to be independent of their parents. Any parent may challenge this assumption by presentation of evidence that such student does qualify as a dependent for federal income tax purposes.

C. Defining School Officials with a Legitimate Educational Interest

School officials shall be deemed to include members of IIT's faculty and administrative staff who have legitimate educational interests in such records and other personnel whose duties involve establishment and maintenance of such records and development of institutional reports. A "legitimate educational interest" shall be deemed to mean "having a direct involvement in establishing or reviewing a student's academic record or performance."

II. Student Access to Records

Students and former students of IIT shall be granted access to all of their personally identifiable educational records originated at IIT or submitted to IIT in connection with their admission, employment, or the granting of financial assistance, with the following exceptions:

- A. notes or records of instructors, advisers, or counselors that would not be shown to any other individual except another faculty member, an adviser, or a teaching assistant;
- B. for records involving other individuals (e.g., course grade lists), only that portion applicable to the respective student will be disclosed;
- C. records or statements supplied by the individuals within or outside IIT and other educational institutions or agencies that have been submitted under the assumption of confidentiality in connection with admission, employment, or the provision of financial assistance, including financial statements provided by parents for purposes of supporting the student's application for financial aid; letters of recommendation written prior to January 1, 1975; letters of recommendation written after January 1, 1975, for which the student has signed a waiver of the right to inspect the letter; and
- D. records of medical or psychological tests or treatment, as to which the student nevertheless has the rights to obtain a professional explanation of information in such records and to request that the records be referred for inspection to another qualified professional of the student's choice.

III. Obtaining Records and Maintaining Names of Recipients

For records originating at IIT, any person or organization having the right of access to any educational record may obtain a copy of that record at a reasonable fee. In general, IIT will not provide to anyone other than authorized faculty and staff at IIT copies of any items in a student's educational record that have been submitted by individuals or organizations outside IIT; such copies should be requested from the source from which the record originated. An exception may be made in instances when the student can demonstrate that the original record has been lost, destroyed, or is otherwise unavailable (e.g., a school is no longer in existence, or the death of a person from whom a reference was obtained). A cumulative record of all individuals or organizations, other than the individual student and authorized faculty and staff at IIT, who are granted access to and/or copies of a specific educational record shall be maintained along with that record. Upon request, a student may inspect the cumulative list of all those who have been granted access to his or her educational record.

The right to inspect educational records is not granted to applicants for admission until such time as the applicant may be admitted and has completed registration at IIT.

Students and former students of IIT may make an appointment to inspect individual educational records during regular office hours. For additional information please contact the Office of the Registrar at 3424 S. State Street, 2nd Floor (312.567.3100, registrar@iit.edu.).

IV. Student Challenges to the Accuracy of Records

Students have the right to petition to amend educational records and, if this petition is denied, they have the right to request a hearing. Information about written procedures regarding both actions are available in the various student handbooks.

V. IIT's Maintenance of Directory Information

IIT reserves the right to release at its own discretion the following items of directory information about any student registered for at least one credit hour during the academic year in which such directory information is provided, unless the student shall file with the Office of the Registrar a completed Non-Disclosure of Directory Information FERPA Form requesting the withholding of directory information:

- Name of student
- Date and place of birth
- Dates of attendance at IIT
- Local address, phone number, and e-mail address of student
- Home address and phone number of student
- Positions held, place of employment, and extension number of students employed by IIT
- Department of specialization and educational level (undergraduate; non-degree-seeking student; graduate student in M.S. or Ph.D. program)
- Membership in officially recognized campus organizations and teams; and offices held in such organizations and teams
- Degrees earned; special awards and recognition given
- Photograph of student

Such directory information available from educational records kept by IIT may also be released concerning former students at IIT for the time during which they were registered as students at IIT.

VI. Ethical Responsibilities of Faculty Members with Access to Records

A faculty member who has a legitimate educational interest may obtain access to the educational records of a student. A faculty member should ordinarily limit his or her inquiries to the records of those students for whom he or she is serving as an adviser, or as to whom he or she is required to verify that prerequisites for course enrollment have been satisfied. It is not ordinarily a "legitimate educational interest" to review the grades from other instructors of students enrolled in a faculty member's classes, or of a student outside the faculty member's academic unit.