

University of Dallas	Data and Records Policy Amendment of Education Records	POLICY ADA-A Responsible Executive: Provost Responsible Office: Office of Provost Issued: 7.1.21 Revised: n/a
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1. PURPOSE

This Policy guides the University of Dallas in providing students with the opportunity to request amendment of education records. This Policy is intended as part of the University’s compliance with 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act), [Subpart C](#) (§§ 99.20-.22).

2. AMENDING EDUCATION RECORDS

If information that is inaccurate, misleading, or in violation of the student’s rights of privacy, he or she may ask the University to amend the record.

- 2.1. **Response time.** The University will decide whether to amend the record as requested within a reasonable time after the University receives the request.
- 2.2. **Notice of right to hearing.** If the University decides not to amend the record as requested, it will inform the student of its decision and of his or her right to a hearing under this Policy.
- 2.3. **Right to hearing.** The University will give a student, on request, an opportunity for a hearing to challenge the content of the student’s education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.
 - 2.3.1. If, as a result of the hearing, the University decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it will:
 - 2.3.1.1. Amend the record accordingly; and
 - 2.3.1.2. Inform the student of the amendment in writing.
 - 2.3.2.

- 3.4. **“Disclosure”** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.
- 3.5. **“Education records”** means
- 3.5.1. **General definition.** Those records that are -
- 3.5.1.1. Directly related to a student; and
- 3.5.1.2. Maintained by the University or by a party acting for the University.
- 3.5.2. **Exclusions.** Education records does not include -
- 3.5.2.1. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
- 3.5.2.2. Records of a law enforcement unit of the University.
- 3.5.2.3. Records relating to an individual who is employed by the University that -
- 3.5.2.3.1. Are made and maintained in the normal course of business;
- 3.5.2.3.2.

3.13.2. Created for a law enforcement purpose; and

3.13.3.

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3. Provide information to the hearing examiner(s), as needed, so as to permit the hearing examiner(s) to determine any appeal.
 4. Include a student's statement contesting the education record when provided by this Policy.

Hearing Examiner(s)

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2. The student must submit, to the record holder, any written statement contesting the decision or disputing the education record within five days of the written decision by the hearing examiner(s).
 3. The record holder must retain any such written statement for however long the education record is retained, and must include it with the education record.
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6. POLICY ENFORCEMENT

Enforcement

~~The Office of General Counsel (ENFORCEMENT) (6.88920505) 236#~~

