

# GENERAL UNIVERSITY POLICIES

## Notification of Rights Under the Family Educational Rights and Privacy Act (FERPA)

Walsh University is covered by, and subscribes to, the Family Educational Rights and Privacy Act (FERPA) – informally known as the Buckley Amendment. Passed by the U.S. Congress, Public Law 93-380, as amended and effective November 19, 1974.

This law permits students the right of confidentiality and the right to inspect and review their educational record as maintained by the appropriate offices and agencies of the University. Also, it affords students the right to request that amendments be made to ensure that their records are accurate.

Copies of the Act and the Federal Regulations are available for examination in the University Library, the Office of the Registrar, or by accessing the Department of Education's FERPA web site at [www.ed.gov](http://www.ed.gov) (<http://www.ed.gov/>)

FERPA information is published yearly online at [www.walsh.edu](http://www.walsh.edu) (<http://www.walsh.edu/>), in the University catalog and in the student handbook.

### Definitions

- *Student* - any person who attends or has attended Walsh University.
- *Educational Record* - any record in handwriting, print, tape, microfilm, electronic file or other medium maintained by Walsh University which directly relates to a student. The following exemptions are not part of the educational record or subject to FERPA:
  - Personal records maintained by University staff/faculty if kept in the sole possession of that individual, and the information is not accessible or revealed to any other person – e.g., a faculty grade book.
  - Employment records not contingent on student's enrollment.
  - Law enforcement records that are created by a law enforcement agency for that purpose.
  - Medical and psychological records used solely for treatment.
  - Alumni records disclosing information about a student who is not considered "enrolled."

### Right to Inspect and Review Educational Record

Students have the right to inspect and review their educational records within 45 days of the day the University receives a request for access.

#### Procedure

A student should submit to the appropriate University official a written request that identifies the records to be inspected. Arrangements for access will be made by the University official, and notification will be given to the student of the day, time, and location where records will be inspected.

#### Exceptions

Students are granted the right to inspect and review all their educational records except for the following:

- a. Information regarding other students;
- b. Financial records of parents;
- c. Confidential letters of recommendation, confidential letters or statements of recommendation for admission, employment, or honorary recognition put in education files before 1/1/75.

### Disclosure of Educational Records

Walsh University accords all rights under the FERPA Act to each student. Outside individuals or agencies will not have access to, nor will the University disclose any information from a student's educational record without the written consent of the student. The University may, however, furnish information within the University's community serving in the educational interest of the student (i.e., faculty, administration, support staff, advisors, campus security, campus student service departments such as financial aid and housing).

Exceptions made to the disclosure policy are:

- a. To University officials listed in the above paragraph;
- b. To federal/state educational officials in connection with legislative requirements;
- c. In connection with financial aid for which the student has applied;
- d. To organizations conducting studies on behalf of the University;
- e. To accrediting organizations; to the parents of dependent students (e.g., parent information listed on the FAFSA [Free Application for Federal Student Aid]);
- f. To comply with a lawful judicial order or subpoena;
- g. To appropriate individuals in health safety emergencies;
- h. Limited directory information.

### Directory Information

Walsh University, in accordance with the FERPA Act, has designated the following information as "directory information." The University may release directory information to anyone without the student's consent unless the student requests otherwise in writing to the Office of the Registrar PRIOR to the first day of the academic semester or term in which the request is to become effective. This will remain effective until removed by the student.

Information the University may release, unless the student wishes all information to be withheld, includes:

- a. Name;
- b. Address (local and home);
- c. Telephone (local and home);
- d. Major field of study;
- e. Participation in officially recognized University activities and sports;
- f. Weight and height of member of athletic teams;
- g. Dates of attendance;
- h. Enrollment status;
- i. Degrees and awards received;
- j. Most recent previous educational agency or institution attended.

The student has the right to consent to disclosures of personally identifiable information contained in the educational records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to University officials with legitimate educational interests. Personally identifiable information is information that, if disclosed, would make

a student's identity easily traceable — e.g., Social Security number. If a student does not want Directory Information released, he/she must contact the Office of the Registrar immediately.

### **Amendment of Educational Records**

Under the FERPA Act, students have the right to request an amendment to educational records they believe are inaccurate, misleading, or in violation of their privacy rights under this Act. Procedures are as follows:

Students must submit a written request to the appropriate University official to amend a record. In doing so, the student should clearly identify the part of the record to be amended, and clearly state why it is inaccurate or misleading.

If the University determines that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.

If the University determines that it is not appropriate to change the record, the appropriate University official will notify the student of the decision. The student will be advised of his or her right to a hearing regarding the request for amendment. At that time, information regarding the hearing procedures will be provided to the student.

### **Compliance Office**

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Walsh University 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, SW  
Washington, DC 20202-8520

## **Photography and Videotaping**

Walsh University reserves the right to photograph and/or videotape students, faculty, staff, and guests while they are on University property or during University-sponsored functions. These images and audio may be used by the University for promotional purposes, including use in University magazines, newsletters, press releases, brochures, advertisements, videos, websites, social media, and other promotional means and materials.

## **Smoking Policy**

All Walsh University buildings are smoke-free environments. Exceptions are made for the residence area of La Mennais Hall (Brothers' residence). Additionally, Walsh University has implemented a policy regarding smoking in accordance with Ohio Revised Code Chapter 3794.

In view of the requirements of this legislation, and our desire to promote the health and well-being of students, visitors, faculty and staff, the University policy provides a working environment that is free from tobacco smoke. Smoking is not permitted in, or within 20 feet of, Walsh University buildings, shelters and indoor athletic facilities. Smoking is also not permitted in University vehicles.

The policy applies to all staff and students throughout University premises. It also applies to visitors, contractors and sub-contractors while on University premises.

Smoking is not permitted near entrances to any University buildings. Smoking receptacles have been removed from these entrance areas. Please do not throw cigarette butts on the ground near entrances. Designated smoking areas have been provided in certain areas with effective ventilation. In addition, smoking receptacles will be located in these areas. While smoking is permitted outdoors, we are asking that preferential consideration be given to non-smokers whenever it is clear they are exposed to involuntary smoke.

Appropriate signage, as required by the new law, has been added to all non-smoking areas including all University buildings, athletic facilities, and vehicles. In addition to complying with the new legislation, it is hoped that these efforts will have the following results: everyone will know where smoking is permitted and non-smokers will know that they can, with few exceptions, avoid contact with second-hand smoke if they so choose. Your cooperation is critical to making this effort a success.

## **Change of Regulations**

Walsh University reserves the right to modify degree requirements, courses, schedules, calendars, regulations, fees, student life policies and procedures, and changes as may be deemed beneficial to the efficient operation of the University. Such changes become effective as announced by the proper University authorities.

*\*Denotes changes since original publication of the current catalog*

## **Title IX and Walsh University NON-DISCRIMINATION POLICY**

### **Statement of Policy**

Walsh University opposes unjust discrimination as matter of human dignity. Walsh University does not discriminate on the basis of race, age, sex, color, disability, national or ethnic origin, or status as a veteran, in the administration of our policies and programs, and vigorously supports these seven protected classes as written in the federal statute. This statement applies to all academic programs, all athletic programs, and to all policies and procedures concerning students and student activities. This statement applies to all personnel and administrative policies. Walsh University is a religious institution of higher education in the Catholic-faith tradition and is protected by the Religious Freedom Restoration Act (RFRA) and the First Amendment; thus, Walsh University may consider religion in hiring, admissions, and other decisions. Walsh University aligns with the Catholic Church teachings that the dignity of the human person is the foundation of a moral vision for society; thus, each person will always be treated with compassion, dignity, kindness, respect, and sensitivity. Nothing in this policy shall require Walsh University to act in a manner contrary to the beliefs and teachings of the Catholic Church and the University's mission. Walsh University does not support individual interpretations that expand the protected classes.

It is the stated policy of Walsh University to promote and maintain a campus environment free from all forms of discrimination, intimidation, and exploitation, including sexual harassment. The use of one's institutional position or authority to promote discrimination against any individual or group or to solicit unwelcome sexual relations with a member of the Walsh University community is incompatible with the mutual trust and respect among the University community fundamental to the mission of the University. Discrimination and sexual harassment

are considered unethical and unprofessional activities, especially when they involve persons of unequal power, authority, or influence. Furthermore, discrimination and sexual harassment are illegal under Title VII of the 1964 Civil Rights Act.

In accordance with the mission statement and compliance with nondiscrimination laws, Walsh University regards freedom from discrimination and sexual harassment an individual employee and student right protected by policy. Members of the Walsh community must stand against assaults upon the dignity and value of any individual. Walsh University is committed to freedom of expression; however, the value of free expression is undermined by acts of discriminatory harassment that harass, intimidate, or humiliate members of the community or create a hostile or offensive campus environment. Protected free expression ends when prohibited discriminatory harassment begins.

It is imperative that members of the Walsh community know that discriminatory harassment will not be tolerated.

Please refer to the Walsh University homepage at [www.walsh.edu](http://www.walsh.edu) (<https://www.walsh.edu/>) for the Title IX (<https://www.walsh.edu/title-ix.html>) prompt at the bottom of the page for complete information including Deputy Title IX Coordinators contact information; Students rights during an investigation; procedures victims should follow if an incident of domestic violence, dating violence, sexual assault or stalking has occurred; and additional resources.