



Office of Student Affairs  
Division of Academic Affairs  
Brody School of Medicine  
East Carolina University

SOP #

[11.5.1]

Version #

1

Implementation Date

February 10,  
2019

Last Reviewed/Update  
Date

June 26,  
2023

University Counsel Review

June 27,  
2023

Heading:

**Confidentiality of Student Educational  
Records**

## SOP Title: BSOM Confidentiality of Student Educational Records

### Rationale

Brody School of Medicine (BSOM) complies with all federal and state laws, as well as East Carolina University policies regarding the handling of student educational records. BSOM is governed by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C.A. §1232g; Regulations of UNC General Administration with Respect to the Family Educational Rights and Privacy Act, UNC Policy Manual 700.2[R]; and by the following East Carolina University policies: Information Security Regulation, REG08.05.08 (Approved May 23, 2016), and Family Educational Rights and Privacy Act (FERPA or Buckley Amendment) (“ECU FERPA Policy”), POL02.40.01 (Latest version approved February 16, 2018).

### Scope

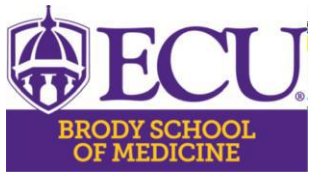
This procedure addresses all requests to view the contents of student educational records at the BSOM.

### Responsibilities

#### BSOM Registrar:

The procedure for accessing non-directory student education records differs depending upon the requesting entity or individuals:

1. Student right to inspect and review their records. Students may access their individual education records, as defined by FERPA, as a matter of right by viewing their available education records online through the Banner system or by filing a written request with the BSOM Registrar to view any records unavailable online.
  - The University will comply with the request from a student to review his or her education records within a reasonable time, but in any event not more than forty-five days after the request is made.
2. Inspection by officials with a legitimate educational interest. BSOM Faculty and Staff who have access to student education records may access those records so long as they have a ‘legitimate educational interest’, as defined by FERPA and ECU FERPA Policy. BSOM Faculty and Staff may access those student educational records online if their position has been designated with such access, or by written request to the BSOM Registrar if they do not customarily have such access. When determining whether BSOM faculty and staff have ‘legitimate educational interests’ which would justify access to student education records, BSOM considers the following factors:
  - whether the requestor has a legitimate educational interest as defined by ECU FERPA Policy, which states that legitimate educational interest is a



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<b>University Counsel Review</b>	January 18, 2019

demonstrated "need to know" by those officials of an institution who act in the student's educational interest. They include: faculty, administration, clerical and professional employees, student workers, and other persons who need student record information for the effective functioning of their office or position. The following criteria shall be considered in determining the legitimacy of a University official's access to student's records:

1. The official must seek the information within the context of the responsibilities that he or she has been assigned; and
2. The information sought must be used within the context of official University business and not for purposes extraneous to the official's area of responsibility to the University.
3. Requests from third parties. Entities and/or individuals outside of BSOM may request access to non-directory student education records by filing a written request with the BSOM Registrar. Access is only granted if permitted by FERPA and all applicable University and ECU policies. All requests made by individuals or entities other than the respective student to view the contents of any BSOM student education records are subject to the following process:
  - o BSOM denies requests for access to student records, as defined by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C.A. §1232g, unless:
    - a. the student consents to the release of those records by written release filed with the BSOM Registrar;
    - b. the entity or individual requesting access is otherwise authorized to access these records under 20 U.S.C.A. §1232g(b); or
    - c. the disclosure is otherwise allowed under 20 U.S.C.A. §1232g.

**Procedures for Implementation and Review**

This procedure is to be reviewed by the Associate Dean for Student Affairs and the Office of University Counsel every three years.

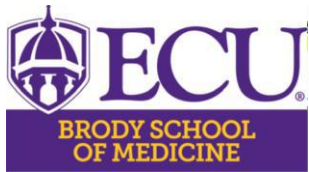
This procedure will be disseminated by the Office of Student Affairs to students and teaching faculty/administration as part of a 'student handbook' during orientation each year.

**Related Policies**

UNC Policy Manual 700.2[R] (Adopted May 25, 1995, Amended July 1, 2007)

Family Educational Rights and Privacy Act (FERPA or Buckley Amendment), POL02.40.01 (Latest version approved February 16, 2018).

Information Security Regulation, REG08.05.08 (Approved May 23, 2016)



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**Applicable Laws, Regulations & Standards**

LCME Standard 11, Element 5