



Ohio Administrative Code

Rule 3342-5-08.101 Operational procedures and regulations regarding collection, retention, and dissemination of information about students.

Effective: August 30, 2025

(A) Purpose. In compliance with the university policy regarding the collection, retention and dissemination of information about students, the administrative policy contained in this rule has been established.

(B) Enforcement.

(1) The enforcement of this policy will be the responsibility of each major executive officer of the university and the supervisor of any office which retains information about students. The Family Educational Rights and Privacy Act of 1974, as amended, will guide the application of this rule.

(2) The vice president for enrollment management will be the custodian and major executive officer of the university responsible for the implementation of this policy.

(3) Recommendations for alterations or additions to this policy may be made by appropriate student and faculty governing bodies to the office of the vice president for enrollment management. Questions of interpretation may also be directed to that office. The registrar will assist the vice president for enrollment management or designee in this responsibility.

(4) The registrar is required to maintain an up to date university records inventory of personally identifiable student records. The registrar should be consulted to review and approve all basic forms utilized for any mandatory data collections.

(C) Definitions.

(1) Student. A "student" is defined as a person who has been accepted into a program of study and has participated in any post-admission university sanctioned process to facilitate the registration of classes.



(2) Educational records. "Educational records" are defined as those records, files, documents and other materials which contain information directly related to a student and are maintained by a college, school, department, office or other university organization, subdivision or by a person acting for the university or any of its subdivisions.

(D) Classification and collection of student educational records.

(1) The term "educational record" does include:

(a) The official academic record composed of documents and electronic files maintained by the office of the university registrar. The registrar is the official custodian of these records. .

(b) Academic advising records are the materials maintained in the college and academic departmental office for use only in advising and/or preparing the recommendations for state certification. These are not to be confused with the aforementioned official academic record.

(c) Discipline records including notification, proceedings, results and action taken as a result of student conduct hearings, are maintained in the office of student conduct. The director of student conduct or designee is the official custodian of these records.

(d) Student financial aid records including application, parents' confidential statement, need analysis form, promissory note, employment and other related information are maintained in the office of student financial aid. The director of student financial aid is the official custodian of these records.

(e) The career exploration and development center records including student employment applications, resumes, letters of reference, employment records of work study students, and related information are maintained in the office of career exploration and development center. The executive director of the center is the official custodian of these records.

(2) The term "educational record" does not include:

(a) Records which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;



(b) Police records which are maintained solely for law enforcement purposes;

(c) Records which are maintained solely in connection with a person's employment within the university unless the employment records are as a result of their status as a student; and

(d) Health-related records. Records that are: (1) created or maintained by a physician, psychiatrist, psychologist or other recognized professional or capacity, or assisting in that capacity and which are acting in that capacity; (2) created, maintained or used only in connection with treatment of the student ; and (3) disclosed only to individuals providing the treatment.

(3) Collection of student information. Information which the university may wish to collect for student educational records through any of its offices, departments or agents directly from the student, whether prior to admission, at the time of entrance, or at any other time, should be viewed as falling into one of three categories, as follows:

(a) Directory information, which includes the student's name, local and permanent , major field of study, kent.edu email address , class standing (undergraduate/graduate; freshman, etc.), enrollment status (full/part-time), participation in officially recognized activities and sports, , dates of attendance and degrees and awards; ;

(b) Restricted external, which includes any and all information contained in educational records not categorized as directory information. Such information may not be released except under the provision of this policy. Examples of restricted external information are social security number, date of birth, identification photograph, marital status, number of dependents, country of citizenship, , academic evaluations and standardized and other test scores;

(c) Restricted external and internal records are not classified as "educational records." This class of records is normally associated with special professional services such as mental health, physical health and law enforcement. The collection, use and dissemination of such information is controlled by separate policies.

(E) Release of information.



(1) Requests for information. All institutional personnel should be alert to refer promptly to the official custodian of the appropriate office any requests for information. Faculty members and the various institutional offices should restrict their responses to that information germane to their sphere of responsibility in relationship to the student, such as faculty advisor, major professor or academic dean. The existence of specific legislation permitting access should be determined before release of information and all releases must be consistent with FERPA and applicable local, state, and federal laws and regulations.

(2) Information contained in student records may be released under the following conditions:

(a) Directory information may be disclosed on an unlimited basis by the office of the university registrar in response to written requests.

(i) Directory information categories are published on the office of the university registrar web site. Students are notified each term via their "kent.edu" email address on their right to restrict the publication and release of directory information.

(ii) An opportunity for individuals to restrict the publication of directory information concerning themselves is available by making a written petition to the registrar. Students are notified each term via their "kent.edu" email on the right to restrict the disclosure of directory information.

(b) Restricted information may only be released with the student's written permission, with the exceptions allowed by law. Following are some of the more common exceptions for release of restricted student information.

(i) To school officials with the legitimate educational interest.

(A) School officials. Those members of the university community who act in the student's educational interest within the limitations of their "need to know." These may include faculty, administration, clerical and professional employees, university police, and other persons, including student employees or persons or businesses formally authorized to act for the university, who manage student education record information.



(B) Legitimate educational interest. For the purposes of agency 3342 of the Administrative Code, "legitimate educational interest" shall mean an educationally related purpose which has a directly identifiable educational relationship to students involved and underlies the request. More particularly, the following criteria shall be taken into account in determining the legitimacy of a university official's access to student records:

- (i) The official must seek the information within the context of the responsibilities that he or she has been assigned;
- (ii) 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 or to the university;
- (iii) The information requested must be relevant and necessary to the accomplishment of some task or to making some determination within the scope of university employment;

(C) Disclosure to a school official having a legitimate educational interest does not constitute institutional authorization to transmit, share, or disclose any oral information to a third party. An unauthorized disclosure of personally identifiable information from the education record of the student is prohibited.

- (ii) To complete transfer admissions forms requested by the student.
- (iii) If approved research studies are being conducted in such a manner as will not permit the personal identification of the student except to researcher;
- (iv) If required by accrediting agencies in order to carry out their accrediting functions;
- (v) If required by lawfully issued court order, subpoena or summons, upon the condition that students are notified of all such orders in advance of the compliance;
- (vi) To appropriate parties if an actual, impending, or imminent emergency situation arises where the disclosure is deemed necessary to protect the health or safety of a student or other individuals



pertaining to a significant and articulable threat, considering the totality of the circumstances; and

(vii) Parents of dependent students as defined in Section 152 of the "Internal Revenue Code" of 1954 may have access to their child's records provided they have demonstrated satisfactory evidence of the student's dependent status, and that the student be notified of all such requests in advance of compliance; except that release of information regarding a student's financial account to parents of a dependant student shall not require notification to the student.

(viii) Pursuant to the Family Educational Rights and Privacy Act, the office of the dean of students will send written notice to the parents of a student under twenty-one years of age who is found to be responsible for violating any state or local laws pertaining to possession or consumption of any alcoholic beverages. The office of the dean of students may send written notice to parents of a student under twenty-one years of age when a first-time serious violation consists of:

(A) Alcohol negatively affecting the mental and physical well-being of oneself or others;

(B) Alcohol contributing to vandalism, assault, etc.; or,

(C) Alcohol contributing to a pattern of substance abuse.

(D) The university believes that parent notification is an educational measure that will provide students and parents an opportunity to appropriately deal with a potential problem that could result in serious academic, social, and personal health concerns.

(ix) Release to parties. The release of non-directory information to external parties without the student's consent must be recorded in the individual student file. The release of non-directory information to either external or internal parties must be accompanied by a warning that such information must not be passed on to fourth parties.

(F) Access to records.

(1) Student access. Students have access to their own educational records as described in this policy within a reasonable period of time not to exceed forty-five days of the request. All information in the



educational records may be reviewed by the student except for:

(a) Financial records of the parents; and

(b) Confidential letters and statements of recommendation which are dated prior to the first of January, 1975.

(2) Waiver. A student may waive the right of access to these official records. Such waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from the university.

(G) Challenge to the content of the records. If, after reviewing their individual file, a student wishes to challenge a perceived inaccuracy, misleading statement, or other perceived violation of their privacy or other rights, the following procedure is available:

(1) The student shall be provided an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data and to insert into such records a written explanation. A student may challenge a grade only on the ground that it was inaccurately recorded, not that it was lower than the instructor ought to have awarded.

(2) If the official custodian of the records and the student agree that information is inaccurate, misleading or otherwise in violation of the student's rights, the official custodian of the records may make the necessary corrections or remove the information.

(3) Upon the request of either the official custodian of the records or the individual student, a hearing may be conducted to settle disputes.

(4) The registrar will serve as hearing officer. Should the hearing officer have a direct interest in the outcome of the hearing, the vice president for enrollment management will serve as hearing officer. The following guidelines are to be followed:

(a) The hearing shall be conducted and decided within a reasonable period of time following the request for hearing;



(b) The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised; and

(c) The decision of the hearing officer shall be in writing to the student, and inserted into the file within a reasonable period of time after the conclusion of the hearing.

(H) Review and destruction of educational records. All persons or organizational subdivisions of the university maintaining educational records must establish procedures for the regular and periodic review of all information for the purposes of ensuring its accuracy and continued usefulness and for the elimination of the unnecessary and unverified data. A copy of such procedures must be on file with the registrar. These retention schedules must be a part of the university retention schedule.

(1) Educational records which are involved in a pending request for access may not be destroyed until access according to this rule has been granted.

(I) Complaints of violations of this policy may be directed to the registrar at registrar@kent.edu. In the event that the registrar is the subject of the complaint, communication should be directed to the vice president for enrollment management. Complaints will be reviewed and may include an investigation where appropriate. The grievance process will be concluded within 30 business days, but may be extended with notice in writing to all parties. If the registrar determines that a policy violation has occurred, they will make recommendations to the appropriate individual(s) and or department(s) regarding how the violation should be addressed, including possible modifications to procedures, training, and other appropriate remedies. Complaint findings will be provided in writing to all relevant parties. Other university processes, such as the academic complaint procedure, may be utilized concurrently with this process. Complainants also have the option of filing a complaint with the U.S. department of education's policy compliance office.