

# Emergency and Parental Notification Policy

---

University of Wisconsin-Green Bay faculty, staff and administrators are regularly asked to balance the interests of safety and privacy for individual students. While the Family Educational Rights and Privacy Act (FERPA) generally requires UWGB to ask for written consent or proof that the student is a tax dependent of the parents [and then disclosure may only be made to the parent(s)] before disclosing a student's personally identifiable information, it also allows colleges and universities to take key steps to maintain campus safety. UWGB may disclose information to appropriate individuals (e.g., parents/guardians, spouses, housing staff, health care personnel, police, etc...) without the student's consent, where disclosure is in connection with a health or safety emergency and knowledge of such information is necessary to protect the health or safety of the student or other individuals. Disclosures are also allowed among university employees where there is a "need to know" such as conducting transactions or sharing updates between departments with whom the student interacts.

## Health or Safety Emergency

In an emergency, FERPA permits UWGB officials to disclose, without student consent, education records which may include personally identifiable information from those records, to protect the health or safety of students or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. See <http://www.ed.gov/legislation/FedRegister/finrule/2008-4/120908a.pdf> [34CFR part 99, 99.36(a)]. This exception to FERPA's general consent rule does not allow for a blanket release of personally identifiable information from a student's educational records. In addition, the Department of Education interprets FERPA to permit institutions to disclose information from education records to parents if a health or safety emergency involves their son or daughter.

## Disciplinary Records

While student disciplinary records are protected as education records under FERPA, there are certain circumstances in which disciplinary records may be disclosed without the student's consent. UWGB may disclose to an alleged victim of any crime of violence or non-forcible sex offense, if requested in writing, the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed. UWGB may disclose to anyone — not just the victim — the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the UWGB's rules or policies. See <http://www.ed.gov/legislation/FedRegister/finrule/2008-4/120908a.pdf> [34CFR part 99, 99.31(14)(i)(A)].

## Annual Security Report

The University of Wisconsin-Green Bay's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by UW-Green Bay; and on public property within, or immediately adjacent to and accessible from, the campus. This report also includes institutional policies concerning campus security, such as policies concerning sexual assault and other matters. Fire safety statistics for student housing are included. You can obtain a copy of this report by contacting the Office of Public Safety or by accessing the following website: <http://www.uwgb.edu/publicsafety/documents/AnnualSecurityReport.pdf>

## Law Enforcement Unit Records

Police investigative reports created and maintained by UWGB Police and Public Safety are not considered education records subject to FERPA. Accordingly, UWGB may disclose information from law enforcement unit records to anyone, including outside law enforcement authorities, without student consent, and once an investigation is complete.

## Disclosure to Parents

When a student enters UWGB, including those less than 18 years of age, all rights afforded to parents under FERPA will transfer to the student. However, FERPA also provides ways in which UWGB may share information with parents without the student's consent. For example:

- UWGB may disclose education records to parents if the student is a dependent for income tax purposes. Parents must provide tax returns or other information sufficient to show dependency for tax purposes.
- UWGB may disclose education records to parents if a health or safety concern involves their son or daughter.
- UWGB may inform parents if the student who is under age 21 has violated any law or its policy concerning the use or possession of alcohol or a controlled substance.
- A UWGB official may generally share with a parent, information that is based on that official's personal knowledge or observation of the student (e.g., a faculty or staff member's observation of a student's behavior).

## FERPA and Student Health Information

The UWGB Counseling and Health Center may share student medical treatment records with parents and/or others under the health and safety circumstances described above. These records may otherwise be protected by other federal and state medical records privacy laws and can only be shared once a medical release form is signed by the student.

## **FERPA and Student and Exchange Visitor Information System (SEVIS)**

FERPA permits UWGB to comply with information requests from the Department of Homeland Security (DHS) and its Immigration and Customs Enforcement Bureau (ICE) in order to comply with the requirements of SEVIS.

## **Transfer of Education Records**

Finally, FERPA permits UWGB officials to disclose any and all education records, including disciplinary records, to another institution at which the student seeks or intends to enroll or is currently enrolled.

## **Contact Information**

For further information about FERPA, please contact the UWGB FERPA website at <http://www.uwgb.edu/ferpa/> .

### **More information regarding FERPA can be obtained from the:**

Family Policy Compliance Office -

U.S. Department of Education

400 Maryland Ave. S.W.

Washington, DC 20202-5920

202-260-3887

<http://www.ed.gov/policy/gen/guid/fpco/index.html>