

Students' Rights and Responsibilities (cont.)

right to correct fire regulation violations or other violations of its agreement with insurers.

There is a charge for 10 or more pieces of personal mail between students per day.

Students should receive mail at the college ONLY during the academic semesters or year of attendance. It is the student's responsibility to notify each correspondent of the complete change of address at the end of the academic semester or year of attendance, or if leaving during the year or semester, i.e. withdrawn, enrolled off-campus, leave of absence.

Z. State Laws Governing Coin Machines

Section 2911.32 Tampering with coin machines. No person, with purpose to commit theft or to defraud, shall knowingly enter, force an entrance into, tamper with, or insert any part of an instrument into any coin machine.

Whoever violates this section is guilty of tampering with coin machines, a misdemeanor of the first degree. If the offender has previously been convicted of a violation of this section or of any theft offense as defined in section 2913.01 of the Revised Code, the offense becomes a felony of the fourth degree.

AA. Student Records

1. Pursuant to section 438 of the General Education Provisions Act and its implementing regulations, with the exceptions noted in item 2 below, presently or formerly enrolled* students of Oberlin College have the right to review and inspect their educational records. An "educational record" is any record, file, document, or other material that contains information directly related to a student and that is maintained by the college.

*"Enrollment" is defined as beginning when the student first attends classes at Oberlin College for credit. No student applying for admission to the College of Arts and Sciences and the Conservatory of Music, nor a student transferring from one division to the other, may see his/her admission file until he/she is formally admitted to that particular division of the college (e.g., the College of Arts and Sciences or the Conservatory of Music).

2. The right to review and inspect educational records does not extend to the following categories of records:

- a. Financial records, including any information in those records pertaining to the student's parents.
- b. Records that are maintained 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 as a temporary substitute for the maker of the record.
- c. Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para-professional acting in his or her professional capacity or assisting in a para-

professional capacity that are made, maintained or used only in connection with the treatment of the student, and disclosed only to individuals providing treatment to the student. However, the student may have these records reviewed by a physician or other appropriate healthcare professional of the student's choice. **Note:** Medical records are also available for review pursuant to federal law. (Call 440-775-8180 to learn more about procedures for obtaining medical records from the Student Health Center.)

d. Records that only contain information about an individual after he or she is no longer a student at the college (e.g., alumni records).

e. Confidential letters and statements of recommendation that were placed on file before January 1, 1975.

f. Confidential letters and statements of recommendation that were placed on file after January 1, 1975 in which the student has waived his or her right to inspect and review those letters and statements pursuant to the guidelines delineated in Part 6 below, and that relate to the student's admission to an educational institution, an application for employment, or receipt of an honor or honorary recognition.

3. Offices keeping records that may be reviewed by the student include Career Services, Communications, the Conservatory, Financial Aid, the Registrar, the Dean of Students, Residential Education and Dining Services, and Student Academic Services.

4. In order to inspect a student's educational records, the student must submit a signed and dated written request addressed to the supervisor of the office in which the records are maintained on a form prescribed by the college. The request form must describe the records sought and the purpose for which access is being requested. The responsible college official will make arrangements within a reasonable period, but not more than 45 days from the date of receipt of the written request, for the student to review the records at an appropriate office at Oberlin. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

a. Oberlin will not destroy educational records if it has received a proper request to inspect the records from a student, until such time as the student has had an opportunity to access the records.

b. Pursuant to federal law, only those records directly related to the student will be made available for review. To the extent that a student's record contains references to another student, all personal identifiers pertaining to the other student will be

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redacted from the record before the requesting student is provided with access to the record.

c. The right of inspection includes the right to be informed of the titles and originators of all documents in the student's file, whether or not they are open to inspection by the student.

5. In certain cases, the college may permit the student to obtain copies of inspected records. However, Federal law generally does not require the college to provide copies of educational records to students (or authorized third parties as explained in part 7 below), and the college reserves the right to refuse to provide copies of educational records to students or authorized third parties in its sole discretion. It is the policy of the college not to release copies of disciplinary records, Student Honor Code records and proceedings, judicial case files, or investigative files to students or to third parties. These records are available for the student's inspection in the Dean of Students Office.

a. Notwithstanding, in the event that exigent circumstances effectively prevent the student from accessing his/her educational records (e.g., where the student is away from Oberlin and provides a compelling reason as to why he/she cannot readily come to campus), the college may elect at its option to provide copies of the records to the student, or alternatively, to make the records available to the student for inspection by the student in a supervised setting at a location remote from Oberlin.

b. In cases in which the college determines that copies of a student record may be provided, the copies will be made at the student's expense. A fee schedule, covering administrative costs, will be available in the office where student records are kept.

6. Students may waive their right of access to confidential letters and confidential statements of recommendation regarding admission to an education institution, for applications for employment, and for receipt of an honor or honorary recognition that are placed in the student's education records after January 1, 1975 by completing a signed written statement which describes the letters or statements with reasonable particularity and which contains the following language:

"I hereby waive my right of access to this document now or at any time in the future. I do so with the full understanding that a waiver may not be required as a condition for admission, or receipt of financial aid or any other service or benefits of the institution." (Signature must follow).

The college will provide to a student a list of the names of individuals who provided letters, statements, and recommendations upon written request.

7. The college will not disclose educational records to third parties without the prior written consent of the

student, which must be made on a form prescribed by the college. Such written consent must specify the records that may be disclosed, the purpose of the disclosure, and the party or parties to whom the disclosure may be made. Upon receipt of a properly completed request, the responsible college official will make arrangements within a reasonable time, but not more than 45 days from the date of receipt of the written request, for the third party to review the records at an appropriate office at Oberlin. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

a. The student has the right to access a copy of any records disclosed to a third party pursuant to the student's consent.

b. In certain cases, the college may permit a third party to obtain copies of records for which a student has supplied a duly executed consent for disclosure. However, under Federal law, the college is under no obligation to provide copies of educational records to third parties, and the college reserves the right to refuse to provide copies of educational records to third parties in its sole discretion. It is the policy of the college not to release copies of disciplinary records, Student Honor Code records and proceedings, judicial case files, or investigative files to third parties. These records are available for inspection in the Dean of Student's Office.

c. Third parties to whom educational records are disclosed pursuant to a duly executed consent are not permitted to redisclose the information contained in the record without the prior consent of the student.

8. The college may disclose educational records to third parties without consent of the student in the following instances:

a. To a school official who has a legitimate educational interest. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional duties for the college. School officials who occasionally have reason to examine records generally include without limitation: employees of the Office of the Dean of the Conservatory, Office of the Registrar, Office of Residential Education and Dining Services; the student's faculty advisor; individual faculty members who have been asked to write a recommendation for the student; members of the administrative and professional staff; administrative and technical assistants acting on their behalf from the Dean of Students Office, Financial Aid, the Counseling Center, Student Academic Services, the Office of the Dean of Studies; Safety and Security Office

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personnel; healthcare personnel; and members of the Board of Trustees of the College. In addition, contractors, consultants, volunteers, or other individuals with whom the college has outsourced college services or functions may also be considered school officials, and include the college's attorneys, auditors and consultants, as well as students serving in an official capacity on behalf of the college, such as on a Community or Judicial Board, the Student Honor Committee, designated members of the Oberlin Student Cooperative Association (OSCA) when serving in the role of officer of OSCA, or others who are assisting in the performance of college services or functions that would otherwise be performed by a college employee.

- b.** Disclosures in compliance with a lawful subpoena or judicial order.
- c.** Disclosures in connection with a student's application for or receipt of financial aid.
- d.** Disclosures to state authorities exempted from the prior consent requirements of federal law.
- e.** Disclosures to accrediting organizations.
- f.** Disclosures to the parent(s) of a 'dependent' student, as defined by the Internal Revenue Code.
- g.** Disclosures to appropriate persons to protect the health or safety of a student or other persons in an emergency situation.
- h.** Disclosures to the parent(s) of a student permitted by law in a case where a student who is under 21 years of age has been found responsible for committing a violation of law or college policy pertaining to the use or possession of drugs or alcohol.
- i.** Disclosures permitted by law in cases where a student is found responsible for a violation of the rules and regulations pertaining to an act of sexual or physical assault or violence.
- j.** Disclosures to authorized Federal officials who have need to audit and evaluate federally supported programs.
- k.** Disclosures for public directory information, that is, information that the college has the policy of announcing publicly. "Directory Information" includes the student's name, address, telephone listing, major field of study, participation in recognized activities and sports that officially represent the college, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

Any student may refuse to have directory information released if he/she notifies the registrar in writing on or before the end of the second week

of his/her first semester in residence during a given academic year or on or before the end of the second week following a mid-year change of college address.

l. Disclosures to officials of other institutions in which a student seeks or intends to enroll, provided the institution gives the student an opportunity to request a copy of such record and an opportunity for a hearing to challenge the record.

m. Disclosures to organizations conducting studies for or on behalf of educational institutions to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction.

9. If a student believes that the information in an educational record is inaccurate, misleading, or in violation of the privacy rights of the student, he/she may request that the college amend the record by submitting a request in writing to the college official responsible for providing the student with access to the record.

a. If the college declines to accept the amendment, the student may request a hearing to challenge the contents of the student's educational records on the grounds that it is inaccurate, misleading, or in violation of the privacy rights of the student. Representatives of the office in which the disputed record is maintained will appoint a committee to hear the issue. A committee consisting of a departmental chair, a faculty member, and an administrator (normally the Dean of Students) shall conduct the hearing. During the academic year, when students are in residence, the Dean of Students will select one student to be added to the membership of this committee. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

b. If as a result of the hearing, the committee agrees with the student's contentions, the record will be amended accordingly.

c. If the committee disagrees with the student's contentions, the student will be afforded the option of placing a written statement in the record commenting on the contested information or stating why the student disagrees with the decision of the college. Such statement will be retained with the record for as long as the record is maintained, and will be disclosed whenever the college discloses the portion of the record to which the statement relates.

10. Effective September 4, 2007, the Office of Career Services has discontinued the credential mailing service and has implemented a partnership with Interfolio to maintain reference and credential files for current students and alumni. This service will replace the former method of maintaining paper-based files through the Reference Service/Student Academic

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Services. Students and Alumni choosing to use the Interfolio service will agree to the terms outlined in the Interfolio Service Agreement.

11. All Oberlin College offices that maintain educational records shall keep a log of instances in which a student's records are disclosed pursuant to a request by persons who are not otherwise authorized to have access to the records. The access log shall include the following: date the educational record was examined; name and title of the reviewer; and the legitimate educational purpose of the disclosure. The access log shall be available for inspection by the student.

12. A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with Federal law pertaining to the maintenance of educational records. The name and address of the office responsible for educational record issues is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

BB. Grievance Procedures

As a first step, students are urged to go directly to the person(s) concerned and discuss the source of their problem as openly as possible. If this confrontation of the difficulty and airing of a grievance leads to no resolution, or when it seems inappropriate, a number of formal and less formal avenues are open to students, depending upon the nature of the complaint. These are outlined below. At times, a grievance may involve a number of different areas and students may feel uncertain which procedure to follow; in this case they should seek advice from the Office of the Dean of Students, The Office of the Ombudsperson, or the deans of Residential Education and Dining Services. At any stage in the process students are welcome to seek counsel and support from members of the faculty or staff as well as the student body, and should feel free to bring an advisor to any meetings they may have as part of an adjudication process. Some suggestions are made under the following sections.

1. GRIEVANCES RELATED TO ACADEMIC AFFAIRS OR OTHER MATTERS INVOLVING THE TEACHING FACULTY

- a.** A student with a complaint should first attempt to resolve the issue through discussion with the instructor.
- b.** If this fails to resolve the issue, the student may present the grievance to the director of the division, or the chair of the department or program, and request his/her assistance in resolving the issue.
- c.** If the director of the division or the chair of the department or program is unable to resolve the

matter, the student may present the complaint to the Associate Dean of the Conservatory or to the Dean for Arts and Sciences, as appropriate to the faculty appointment of the instructor. The dean will invite the opinions of all parties involved, will ascertain matters of fact, and will make a determination about the disposition of the matter. Final judgment rests with that dean.

d. In matters of academic dispute, students may find it useful and appropriate to consult with their academic advisors and/or a dean in the Office of the Dean of Studies. Students studying applied music in the conservatory should present their grievances to the Associate Dean of the Conservatory.

2. STUDENT INFRACTIONS OF THE HONOR CODE

Any form of academic cheating should be referred to the Student Honor Committee. (See Students' Rights and Responsibilities, section I.).

To report a suspected violation of the Honor Code, or to ask questions about how the Honor System functions, contact:

Student Honor Committee
Wilder Hall Suite 105/ Student Union Box 22
(440) 775-8462
ohonor@oberlin.edu

Coordinator: Issac Katz

Cochairs: Harriette Carrington,
Dimitri Macris

Secretary: Fajer Saeed

Treasurer: Dimitri Macris

3. NONACADEMIC COMPLAINTS AGAINST STUDENTS REQUIRING ADJUDICATION AND POSSIBLE DISCIPLINARY ACTION

(Violations of the student regulations, of college policies, or of the tenets of the Constitution of the Association of Students and its student governing bodies.)

Complaints may be brought before the all-student Judicial Board by filing a complaint with the Judicial Coordinator in the Dean of Students Office. (See Students' Rights and Responsibilities, section IV. F.). Students are encouraged to seek the advice of the

Judicial Coordinator at any time. Where both parties agree to this, complaints can often be mediated rather than handled through formal adjudication.

4. GRIEVANCES UNDER SECTION 438 OF THE GENERAL EDUCATION PROVISIONS ACT ("BUCKLEY AMENDMENT")

Rights to review and inspection of educational records maintained by the college that contain information