

**80.90.010 PROTECTION OF STUDENT DATA POLICY**

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**Protection of Student Data Policy****PURPOSE**

This policy describes the St. Jude Children's Research Hospital Graduate School of Biomedical Sciences' ("Graduate School") responsibility for the safeguarding of confidential graduate student personal information and educational academic records.

**SCOPE**

This policy pertains to the safeguarding and use of student personal information and personally identifiable information contained in education records.

This policy applies to all graduate students who are enrolled, had been enrolled, and/or completed a degree program of the Graduate School.

Outside of Scope

- This policy does not apply to:
  - records kept in the sole possession of the maker and used only as a personal memory aid and not accessible to any other individual except a temporary substitute of the maker of the record;
  - grades on peer-graded papers/assignments before they are collected and recorded by an instructor;
  - records created and maintained by a law enforcement unit, including Security and local police, for law enforcement purposes;
  - employee records that relate exclusively to a Graduate School employee who is also a graduate student;
  - records made or maintained by a healthcare professional that are used only in connection with treatment of the student and disclosed only to individuals providing treatment;
  - records that contain only information about an individual after they are no longer a student at the Graduate School (such as outcome data for employment or address for contacting) unless the record relates to the student's attendance at the Graduate School;
  - records of deceased persons. The person responsible for such records, however, should exercise informed discretion in responding to requests for disclosures and should ensure that the person

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making the request has a legitimate interest in the information and that the privacy interests of the deceased and third parties are considered; and

- applicants for admission. However, the admission-related records of applicants who become students at the Graduate School are subject to this policy.

### **STAKEHOLDERS AFFECTED BY THIS POLICY**

Stakeholders who must comply with this policy include all employees of the Graduate School, including faculty and staff and certain individuals performing work for the Graduate School under proper authorization.

### **POLICY**

1.1 Graduate student personal records are confidential in nature and will be kept confidential by Graduate School Officials. Confidential personal information will not be released to persons other than the graduate student and staff of the Graduate School without the written authorization of the graduate student whose records are requested or as required by law.

1.2 Graduate student academic records are confidential in nature and will be kept confidential by Graduate School Officials. Confidential academic information will not be released to persons other than the graduate student and staff of the Graduate School without the written authorization of the graduate student whose records are requested or as required by law.

1.3 The Graduate School Registrar or designee must use reasonable methods to ensure that (i) School Officials obtain access to only those education records (personal and academic) in which they have legitimate educational interests; (ii) the Registrar has established control procedures to ensure that limitations are observed; and, (iii) if the Registrar does not use physical or technological access controls, the Registrar will ensure that its administrative policy for controlling access to education records is effective.

1.4 Generally, personally identifiable information from education records may not be disclosed to other parties without the student's prior written or electronic consent. Such consent shall be 1) signed (on paper or using an appropriate electronic signature method) and dated and 2) shall specify records or information to be disclosed, the purpose(s) of the disclosure, and 3) the party or class of parties to whom disclosure may be made.

1.5 The Graduate School may release a graduate student's education records to Graduate School officials with legitimate interests without the graduate student's consent to access or review the records to:

- Perform a task specified in their position description or contract;

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- Disseminate academic and/or demographic and/or enrollment and/or financial and/or personal aggregated information internally and externally;
- Perform a task related to a graduate student's education or to graduate student discipline;
- Provide a service or benefit related to the graduate student (financial aid, transfer credit process, grants administration, etc.);
- Maintain a safe and secure campus;

1.6 The Graduate School may disclose a student's education records without consent to the following parties or under the following conditions:

Specified officials for audit or evaluation purposes (financial audit including grants funding audits, accrediting bodies, etc.);

- To carry out the functions of the U.S. Department of Education, the Comptroller General, state and local educational authorities, and accrediting organizations;
- In response to a lawfully issued subpoena or judicial order, provided that the Graduate School makes a reasonable effort to notify the student whose records is involved in advance of disclosing the information, unless the situation prohibits prior notification. All subpoenas and court orders should be directed to the Office of Legal Services and disclosure in response to them must be approved by that office;
- Comply with a judicial order or lawfully issued subpoena;
- Regarding directory information; and
- In connection with an emergency if knowledge of the information is necessary to protect the health or safety of the graduate student or other individuals.

1.6.1 If such disclosure is made, it should be limited to information necessary for the purpose of the disclosure.

Note also that specific requirements and qualifications may apply to these exceptions.

1.7 Student Privacy Training is required for faculty, staff, and teaching assistants.

### **PROCEDURE**

2.1 Upon written request, the Graduate School will disclose education records to officials of another school at which a graduate student seeks or intends to apply.

2.1.1 The Graduate School will inform a party to whom a disclosure of personally identifiable information from the records of a graduate student is made that disclosure is made only on the condition that the party will not disclose

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the information to any other party without the student's prior written consent. Exceptions to this requirement include disclosure of directory information, disclosures to the student, to victims of certain disciplinary matters, and disclosures pursuant to court orders and valid subpoenas. Directory information includes information such as a student's name, address, telephone number, date of birth, honors and awards, and dates of attendance. The Graduate School will inform students about directory information and allow students to opt out of disclosures of directory information at any time.

2.1.2 Before disclosing personally identifiable information from education records, Graduate School employees must take reasonable steps to verify the identity of the requesting party as well as their authority to have access to the information.

2.2 Individuals who are, or have been, in attendance at the Graduate School are entitled to inspect and review their education records upon a written request. The request to inspect or review records must be honored within 45 days after the Graduate School has received the request. The request should be directed to the Registrar's office, and the Registrar may charge a reasonable fee for copies.

2.3 A student who believes that information contained in their education records is inaccurate or misleading or violates their privacy rights may request that the Graduate School amend them, and the Graduate School will decide whether to do so within a reasonable period of time.

2.3.1 If the Graduate School decides that the information is inaccurate or misleading or otherwise in violation of the privacy rights of a student, the Graduate School will amend the record and inform the student of the amendment in writing.

2.3.2 If the Graduate School declines to amend the student's records, it will so inform the student and inform them of the right to request a hearing to challenge the information believed to be inaccurate, misleading or in violation of their privacy rights. A hearing, however, may not be requested by a student to contest the appropriateness of a grade.

2.3.3 The hearing will be conducted by the Senior Associate Dean of Student and Faculty Affairs who does not have a direct interest in the outcome of the hearing and will provide the student an opportunity to present evidence relevant to the request to amend the student's records. The Senior Associate Dean of Student and Faculty Affairs will provide to the Graduate School and the student a written decision based on the evidence presented at the hearing within a reasonable time after the hearing. The decision will include a summary of the evidence and the reasons for the decision. Additionally, information regarding hearing procedures will be provided when the student receives notice of their rights.

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2.3.4 If, after a hearing, the Graduate School determines that a student's challenge is without merit it will notify the student of the right to place in their records a statement commenting on the challenged information and/or setting forth reasons for disagreeing with the Graduate School's decision. The Graduate School will maintain such a statement with the student's record and disclose the statement whenever it discloses the portion of the record to which the statement relates.

2.4 A graduate student does not have a right to inspect or review the following:

- Confidential letters and statements of recommendation related to admission to an educational institution, application for employment, or the receipt of an honor or honorary recognition that were placed in a student's records and as to which the student has executed a written waiver of their right to inspect and review; provided that the Graduate School uses the letters and statements only for the purpose for which they were originally intended and notifies the graduate student upon request of the names of all individuals providing such letters and statements.
- Other records as to which the graduate student has executed a written waiver of their right to inspect and review.
- Those portions of records that contain information on other graduate students.

2.5 The Graduate School has internal procedures for addressing security breaches to protect Graduate School information (including student records).

### DEFINITIONS

- **School officials** – Employees of the Graduate School, including faculty and staff, and certain individuals such as vendors or contractors, performing work for the Graduate School under proper authorization. A vendor, contractor, consultant, volunteer, or other party to whom the Graduate School has outsourced services may be considered a School Official provided that the outside party:
  - performs a service for which the Graduate School would otherwise use its employees; and
  - is under the direct control of the Graduate School with respect to the use and maintenance of education records.
- **Education records** – Education records generally include records that are directly related to a graduate student and may be originated but are maintained by the Graduate School or a party acting for the Graduate School.

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- **Aggregated data** – A grouping of de-identified data that will be disclosed – internally and/or externally – only if a minimum of 10 students are noted in the aggregated data category unless required by an accrediting agency.
- **Legitimate educational interests** – A school official may need access to personally identifiable information in the records of a student if the information in question is required or would be helpful to the official in the performance of their duties.
- **Directory information** – Information such as a student's name, address, telephone number, date of birth, honors and awards, and dates of attendance

### REFERENCE DOCUMENTS

- Record Retention Policy

### FORMS AND OTHER DOCUMENTS

N/A

### POLICY DETAILS

Policy Type	Policy Revision
Policy Number	80.90.010
Policy Category	Administrative Policy
Policy Sponsor	Stacey Schultz-Cherry
Approval Authority	Dean of the Graduate School
Policy Effective Date	July 1, 2023
Policy Owner (Contact Info)	Stacey Schultz-Cherry (stacey.schultz-cherry@stjude.org)
Policy Alternate	Stacey Schultz-Cherry
Last Review Date	May 30, 2025
Next Scheduled Review Date	By June 1, 2026

### REVISION HISTORY

V1.0 – May 25, 2023

V2.0 – August 19, 2024

### APPROVALS

Dean of the Graduate School – Approved on May 25, 2023

Dean of the Graduate School – Approved on August 19, 2024