

## STUDENTS' RIGHTS

### Privacy of Student Records

Faculty should be aware that federal law (the Family Educational Rights and Privacy Act of 1974, as amended "Privacy Act") limits the information concerning students which the University can make available to third parties, including parents, unless the student's consent has been obtained and/or prior arrangements have been made (e.g., mailing grades or bills to parents). While the University is always interested in addressing parent concerns regarding student welfare, it must be guided in its actions by the provisions of the Privacy Act, also known as the Buckley amendment. We have included below a summary of the University's official policy statement on the release of the student information to parents and others and the reasons for this policy. Please read it carefully:

1. Bucknell University communicates with the student directly and releases information about a student to others, including parents, only with the student's consent. If a faculty member receives an inquiry directly from a parent about a student, the faculty member should not provide any information to the parent unless they have a signed release from the student consenting to the release of such information. The faculty member should ask the parent to contact the appropriate associate dean of the student's college (Karen Marosi in the College of Engineering; Elaine Garrett or Robert Midkiff in the College of Arts and Sciences) for assistance with their request.
2. The University transmits bills and academic status reports (grade reports and official letters concerning academic standing) as directed in advance by the student.
3. The release to University personnel and third parties of other information, including communications to parents from academic deans, individual faculty members, the student's faculty adviser and staff members of the Office of the Dean of Students, requires the consent of the student.
4. Exceptions to the above, as permitted by the Family Educational Rights Privacy Act of 1974, are:
  - (a) Directory information
  - (b) Release of information in an emergency where such information is necessary for the protection of health or safety.
  - (c) Release of information to Bucknell staff or faculty who have a legitimate educational need for the information.
  - (d) In connection with financial aid for which the student has applied.
  - (e) To comply with a judicial order, a lawfully issued subpoena, or a Patriot Act request.
  - (f) Release of information to parents of a "dependent" student in those instances where notice of "dependency" status has been provided in writing in advance to the Registrar's Office. Such notice is effective for one academic year and must be renewed annually. For the purpose of the Act, a student is a "dependent" (as defined in Section 152 of the Internal Revenue Code of 1954) if over half of the support of the student is received from the parent. The Registrar's Office will furnish a copy of the notification to the student together with a written statement indicating that "dependency" status authorizes the University to release academic status reports to parents and to communicate with parents directly about financial matters, conduct, and student life issues without the student's consent.

### Academic Freedom, Freedom of Speech and Freedom of Association

Faculty should be aware that students also are entitled to academic freedom, freedom of speech, freedom of association, confidentiality and due process. Thus, faculty should encourage students to engage freely with both course content and process, evaluating students on the merits of their arguments and performances, not on their opinions or conduct in matters irrelevant to the academic mission of the university or the course content.

Students should be free to express reasoned opinions that differ from those of faculty or the majority of other students. However, students must also understand that they are responsible for learning the content of any course in which they are enrolled, even if they object to that content.

Students may not be subjected to arbitrary or capricious evaluations of their work. At the same time, students are responsible for meeting the standards of performance established by faculty.

#### Students' Rights (continued)

Finally, information about students is confidential, including their views, beliefs, political affiliations, and other personal information, even if that information is disclosed in the classroom. Faculty assessments of character and ability may be provided to others with the knowledge or consent of the student.

Students have a right to an environment free from sexual harassment. Legal cases against other institutions under Title IX involving students, or Title VII involving employees, have described several types of prohibited sexual harassment. The following are offered as examples:

(1) Quid Pro Quo Harassment: Where some benefit is offered or conferred in exchange for participation in sexual activity. In such cases the power of authority of the faculty member is used to coerce unwilling conduct.

(2) Offensive Environment Harassment: Where the student's right to "An atmosphere conducive to learning" is abridged by an offensive course of conduct which may include sexist language, sexual advances, touching, ridicule, discrimination, etc. Faculty members should not to make it a habit to touch their students, even in what they perceive to be an innocent or a friendly fashion.

Finally, it should be noted that sexual harassment may be perceived to occur between members of the same sex as well as between members of the opposite sex.

Advisors who become aware that a student's rights have been abridged in any of these areas, or that a student perceives his or her rights to be in jeopardy, should immediately consult with the Dean in confidence.