



Office of the Registrar Admissions

The University of America

FERPA

FERPA AND STUDENT RECORDS

UA has a legal and professional responsibility to create, maintain, and dispose of the educational records of the students of UA properly, while at all times guarding the integrity and confidentiality of those records. Appropriate procedures shall be developed which conform with applicable laws and regulations and with principles of sound records management.

Definition of Education Records:

Education records consist of those files maintained by Admissions and Records, the Career/Job Placement, Scholarships and Financial Aids, and those files maintained for individual students by the Education Department.

Student Education Records Procedure:

The Registrar of UA is charged with the following:

a. UA shall maintain a file for each student who enrolls in UA whether or not the student completes the educational program.

b. The file shall contain all of the following applicable information:

(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to UA or University's award of credit or acceptance of transfer credits including the following:

(A) Evidence of high school completion or equivalency or other documentation establishing the student's ability to do the work of the program to which the student is enrolling for under graduate students. Evidence of bachelor degree completion for graduate students. See Admissions for complete list of enrollment eligibility.

(B) Records documenting units of credit earned at other institutions that have been accepted and applied by UA as transfer credits toward the student's completion of an educational program.

- (C) Grades or findings from any examination of academic ability or educational achievement used for admission or School placement purposes.
- (D) All of the documents evidencing a student's prior experiential learning upon which UA and the faculty base the award of any credit.
- (E) Record of attendance to include attendance and tardies for each course taken by the student.
- (F) Records of student health records if required for enrollment.
- (G) Record of student's background check if required for enrollment
- (2) Personal information regarding the student's age, gender, and ethnicity if that information has been voluntarily supplied by the student.
- (3) Copies of all documents signed by the student, including contracts, instruments of indebtedness, and documents relating to financial aid.
- (4) Records of the dates of enrollment and, if applicable, withdrawal from UA leaves of absence, and graduation.
- (5) A transcript showing all of the following:
 - (A) The classes and courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal.
 - (B) The final grades or evaluations given to the student.
 - (C) Credit awarded for prior experiential learning, including the course title for which credit was awarded and the amount of credit.
 - (D) Credit for courses earned at other institutions.
 - (E) Credit based on any examination of academic ability or educational achievement used for admission or School placement purposes.
 - (F) Degrees, certificates, and diplomas awarded the student.
- (6) For independent study courses, course outlines or learning contracts signed by the faculty and administrators who approved the course.
- (7) The dissertations, theses, and other student projects submitted by graduate students.
- (8) A copy of documents relating to student financial aid that are required to be maintained by law or by a loan guarantee agency.
- (9) A document showing the total amount of money received from or on behalf of the student and date or dates on which the money was received.
- (10) A document specifying the amount of refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent.
- (11) Copies of any official advisory notices or warnings regarding the student's progress.

(12) Complaints received from the student.

Review of Records by Student:

At the request of the student, he/she may at any time review his/her academic or financial record with the Chief Executive Officer.

a. The right of students to inspect their individual records is in accordance with the Family Education Rights and Privacy Act of 1974, Public Law 93.380, as amended.

b. Expressly exempted from the right of review and inspection are the financial records of the parents of the students.

c. Without the student's written consent and upon authorization of the Chief Executive Officer or his/her designee, UA may release copies of, or otherwise divulge, material in student education records to the following agencies and individuals who are expressly forbidden from permitting access of said education records to third parties:

(1). School with a legitimate educational interest.

(2). Authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees, or the United States Office of Civil Rights, where such information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, except that when collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.

(3). Other state and local officials or authorities to the extent that information is specifically required to be reported pursuant to state law.

(4). Officials of other public or private schools or school systems, including local, county, or state correctional facilities where educational programs are provided, where the student seeks or intends to enroll, or is directed to enroll, subject to the rights of students as provided in Section 76225 of the Education Code.

(5). Agencies or organizations in connection with a student's application for, or receipt of, financial aid; provided that information permitting the personal identification of students may be disclosed only as may be necessary for such purposes as to determine the eligibility of the student for financial aid, to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.

(6). Accrediting organizations in order to carry out their accrediting functions.

(7). Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purposes of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than

representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is collected.

(8). Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons, or subject to such regulations as may be issued by the Secretary of Education.

(9). Those who have obtained subpoena or judicial order. UA will make a reasonable effort to notify the student in advance of the university's compliance with the order.

(10). Authorized representatives of the Bureau for Private Postsecondary and Vocational Education, where such information is necessary to audit or evaluate a state supported education program or pursuant to a state law, except that when collection of personally identifiable information is specifically authorized by state law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of state legal requirements.

Record of Access:

The Registrar will maintain an access list which includes the identity of persons other than UA officials who have requested and have been denied or who have had access to student records, the dates of said requests, and the reasons for such access.

Storage of Student Records:

It is the policy of UA to provide proper storage and access as prescribed by the Act and the Regulations.

The registrar of UA is charged with the following:

- a. UA shall maintain all records that relate to UA' compliance with the law for at least five (5) years at UA' primary administrative location. Unless UA has applied for, and has received an approval for a change of UA' primary administrative location, the primary administrative location shall be deemed to be location identified in School's most recent filed application for approval to operate.
- b. UA shall maintain for a period of not less than five years at its principal place of business accurate records that show all of the following:
 - (1) The names, telephone numbers, and home and local addresses of each student.
 - (2) The courses of instruction offered by the institution and the curriculum for each course.
 - (3) The name, address, and educational qualifications of each member of its faculty.
 - (4) The information required by the Act.
 - (5) All information and records required by this chapter.
- c. UA will maintain specific records for more than five years.
 - (1) UA shall maintain for a period of fifty (50) years a transcript as prescribed by accrediting commission standards.

(2) UA shall maintain records relating to federal financial aid programs as provided by federal law.

d. A copy of each current record required by the Act or the Regulations shall be maintained.

e. A record that is no longer current may be stored on microfilm, microfiche, computer disk, or any other method of record storage only if all of the following apply:

(1) The record may be stored without loss of information or legibility for the period within which the record is required to be maintained by the Act;

(2) UA maintains functioning devices that can immediately reproduce exact, legible printed copies of stored records. The devices shall be maintained in reasonably close proximity to the stored records at UA' primary administrative location in Hawaii.

(3) UA has personnel scheduled to be present at all times during normal business hours who know how to operate the devices and can explain the operation to the devices to any person authorized by the Act to inspect and copy records.

(4) Any person authorized by the Act or the Regulations to inspect and copy records shall be given immediate access to the document reproduction devices for the purpose of inspecting and copying stored records and shall upon request, reimburse UA for the reasonable cost of using UA' equipment and material to make copies at a rate not to exceed ten cents (\$0.10) per page.

f. UA shall maintain a second set of all academic and financial records required by the Act and the Regulations at a different location unless the original records, including records stored pursuant to subdivision d. are maintained in a manner reasonably secure from damage or loss. An acceptable manner of storage under this subsection would include fire resistant cabinets.

g. All records that the school is required to maintain by the Act and the Regulations shall be made immediately available by UA for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.

h. If UA closes, UA and its owners are jointly and severally responsible to arrange at their expense for the storage and safekeeping in Hawaii of all records required to be maintained by the Act and the Regulations for as long as those records must be maintained. The repository of the records shall make these records immediately available for inspection and copying, without charge except as allowed under subdivision d., during normal business hours by any entity authorized by law to inspect and copy records.

UA may dispose of records after they have passed the time limits imposed by the Act and the Regulations. Before disposing of any record, the Registrar must check with the policy to determine if the record qualifies for disposal.

Student records are confidential and are kept by the Registrar Department for five years. No one, except appropriate school faculty and staff or an authorized representative or the Accrediting Commission or the Bureau for Private Postsecondary Education, or an authorized representative of a sponsoring agency (i.e. WIA, VA) may review any educational records without the approval of the student. The only exception to this is a parent or legal guardian of a minor student.

Without the student's written consent and upon authorization of the Chief Executive Officer or his designee, UA may release copies of, or otherwise divulge, material in student education records to

the following agencies and individuals who are expressly forbidden from permitting access of said education records to third parties:

Student Privacy Rights:

- a. School with a legitimate educational interest.
- b. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees, or the United States Office of Civil Rights, where such information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, except that when collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.
- c. Other state and local officials or authorities to the extent that information is specifically required to be reported.
- d. Officials of other public or private schools or school systems, including local, county, or state correctional facilities where educational programs are provided, where the student seeks or intends to enroll, or is directed to enroll.
- e. Agencies or organizations in connection with a student's application for, or receipt of, financial aid; provided that information permitting the personal identification of students may be disclosed only as may be necessary for such purposes as to determine the eligibility of the student for financial aid, to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.
- f. Accrediting organizations in order to carry out their accrediting functions.

Waiver of Privacy Right:

Students may waive the right to review information about themselves including confidential recommendations associated with:

- Admission to any educational institution.
- Applications for employment.
- Documents filed and maintained at the student's request at Career Services.
- Faculty evaluation and other education records placed in departmental files when the department serves in a placement or referral capacity.

Conditions for Waiver:

A student's waiver of rights applies only if all of the following apply:

- The student can obtain the names of all persons making confidential statements concerning him or her.

- The confidential statements are used solely for the purpose for which they were originally intended.
- The waivers are not required as a condition for admission, receipt of financial aid or receipt of any other services or benefits from the school.

Student Change of Status:

Student Status Change form is to be used as follows:

1. Each staff member who has student contact is to keep a supply of forms on hand.
2. Anyone can initiate an address or phone number change.
3. ONLY the Admissions Department can initiate a cancel. Any school staff member who receives a notice of cancellation from a student MUST give that notice to the Director of Admissions for generation of a Student Status Change.
4. The Education Department can initiate a Leave of Absence.
5. The Chief Executive Officer may initiate a Drop, Termination, or Leave of Absence.
6. Student Status Change form will go to the Registrar. The Registrar's copy is filed in the student's academic file.
7. A copy of the form should be sent to all departments to ensure ALL departments are aware of the change and can adjust their records.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

UA complies with the confidentiality and student's accessibility provision of the Family Educational Right and Privacy Act of 1974 (P.L. 93-380, section 438), commonly known as the Buckley Amendment. Confidentiality of student records is protected. Information on students is not available to anyone without:

1. Written request/release from the student
2. A court order or
3. Accreditation or other oversight agencies requirements.

However, parents of minors and guardians of "tax dependent" students have the right to inspect and challenge the information contained within the records of a specific student. An appointment may access his/her records by submitting a written request to the school.

Retaining Student Work Products and Grading Records

Faculty members are required to maintain a permanent written record of the assessment of all student work. That record must contain all the information used in the assessment of a student's performance in a course and in computation of the final grade assigned. Such records must be retained for a minimum of three years and be available to the chair or director should the need arise.

- Student work that is not returned—papers, quizzes, reports, examinations, projects, or other products upon which the assessment of the student’s performance in a course is based—must be retained by the instructor for no less than one year beyond the academic year in which the work is done and must be available for examination should the need arise.
- Final examinations not returned to students must be retained for three years beyond the academic year in which the examination was given.

Official Student Name of Record

A student’s name of record at UA is defined as the legal name under which the student was admitted to the college. Current students wishing to change the name in their official academic record must provide the registrar with legal documentation stating their new legal name. Acceptable legal documentation includes marriage certificate, social security card, passport, or court order. Upon receipt and verification of this documentation, the registrar will change the student’s name in the official academic records. Former students may also provide documentation to have their name changed in our records, though the academic transcript will be issued under the name at the time of attendance.

RIGHTS AND RESPONSIBILITIES

STUDENT DISABILITY ACCOMMODATIONS

Student Responsibility

To benefit from the protection of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, it is the student’s responsibility to self-disclose a disability to the Disability Services and request an accommodation. UA requires the student to provide supporting documentation, which must verify the existence of the disability and the subsequent need for an accommodation.

University Responsibility


UA may not discriminate against an individual on the basis of his or her disability. UA will provide reasonable required accommodations to a student with a documented disability, in order to afford the student an equal opportunity to participate within its programs, activities, and facilities.

If you are an online student with a disability seeking an accommodation, you may submit a request by contacting your Education Advisor who will, in turn, request that the you are contacted directly via email, or you can contact the Administrative Office directly by, email, or phone.

UA cannot provide an accommodation until the student’s disability has been verified by a qualified medical professional or other appropriate health care professional.

A student with a learning disability must submit recent comprehensive evaluation results including cognitive and achievement test scores.

The University does not discriminate on the basis of race, color, religion, ancestry, national origin, age, non-disqualifying disability, gender, sexual orientation, marital status, or veteran status in the recruitment of students or in the implementation of its policies, procedures, and activities.



The University's policies and practices are in accordance with all applicable laws and regulations. The University has appointed compliance coordinators to assist those who have questions or concerns with respect to the University's compliance with these laws. The name, address, and telephone number of these staff members are available through the University.