9.02 The University maintains student educational records in order for the administrative staff and the faculty to perform their proper functions to serve the student body. To carry out their responsibilities, these officials will have access to student educational records for legitimate educational purposes.

9.03 To establish who are University officials having access to educational records, Sam Houston State University will apply the criteria listed below. A "University official" includes:

a. A member of The Texas State University System Board of Regents.

b. Any and all persons employed by The Texas State University System or Sam Houston State University.

c. A person under contract to The Texas State University System or Sam Houston State University to perform a specific task where, by law or contract, the System or the University has the right to control access to the educational records.

9.04 University officials who meet the criteria listed above will have access to personally-identifiable information contained in student educational records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

a. Perform an administrative task which is outlined in the official position description or contract of the individual or which is otherwise related to the individual's position and duties.

b. Perform a supervisory or instructional task directly related to the student's education.

c. Perform a service or benefit for the student such as health care, counseling, student job placement, or student financial aid.

9.05 Within the general policy that University officials must secure a student's prior written consent before they disclose personally-identifiable information contained in the student's educational records, Sam Houston State University reserves the right for its officials to make such disclosures without the student's consent in the following circumstances:
a. When the student seeks or intends to enroll in another college or university.

b. When certain federal and state officials request information in order to audit or enforce legal conditions related to federally-supported educational programs in the University.

c. To parties who provide or may provide financial aid to the student in order to:

   (1) Establish the student's eligibility for the financial aid.
   (2) Determine the amount of financial aid.
   (3) Establish the conditions for the receipt of the financial aid.
   (4) Enforce the terms of the agreement between the provider and the receiver of the financial aid.

d. To state and local officials or authorities to whom information is specifically required to be reported or disclosed pursuant to any state status adopted prior to November 19, 1974.

e. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction; provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purposes for which the study was conducted.

f. To accrediting organizations to carry out their accrediting functions.

g. To parents/legal guardians of a student if the parents claim the student as a dependent under the Internal Revenue Code of 1954. Sam Houston State University will exercise this option only on the condition that evidence of such dependency is furnished to the custodian of records. It is generally held that FERPA rights of eligible students lapse or expire upon the death of the student.
h. To comply with a judicial order or lawfully issued subpoena. The University will make a reasonable effort to notify the student before it makes a disclosure under this provision.

9.06 Sam Houston State University authorizes its officials to make the needed disclosures from student educational records in a health or safety emergency if the official deems:

a. The disclosure to be warranted by the seriousness of the threat to the health or safety of the student or other persons.

b. The information to be necessary and needed to meet the emergency.

c. Time to be an important and limiting factor in dealing with the emergency.

9.07 Officials of Sam Houston State University may not disclose personally-identifiable information contained in a student's educational record except directory information or under the circumstances listed above except with the student's prior written consent. The written consent must include at least:

a. A specification of the information the student consents to be disclosed,

b. The purpose for which the disclosure may be made,

c. The person or organization or the class of persons or organizations to whom the disclosure may be made, and

d. The date of the consent and, if appropriate, a date when the consent is to be terminated.

9.08 The student may obtain a copy of any record the University discloses by the student's prior written consent.

9.09 Sam Houston State University will not release information contained in a student's educational records, except directory information, to any third parties except its own officials, unless those parties agree that they will not redisclose the information without the student's prior written consent.