

UW Whitewater Police



Release of FERPA Records

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Special Instructions:			
Approved By: Chief Kiederlen	Effective Date: 5/23/2014	Revised Date: 10/11/2022	Revision number: 1

I. Purpose

The purpose of this policy is to clarify when FERPA (Family Educational Rights and Privacy Act) documents can be released to outside agencies.

II. Definitions

Directory Information: Information generally available through publicly accessible means, such as the UWU webpage Directory link.

FERPA: Family Educational Rights and Privacy Act (20 U.S.C. §1232g; 34 CFR Part 99), is a Federal law that protects the privacy of student education records.

III. Policy

It is the policy of UW-Whitewater Police Department (UWWPD) to protect students' rights and private information to the fullest extent possible.

IV. Procedure

- A. UWWPD will not release FERPA protected documents to outside agencies such as other law enforcement agencies, Human Services, etc.
- B. If an outside agency requests FERPA protected documents the employee will briefly explain FERPA and state they cannot release these records. If the outside agency still requires these documents for a legitimate reason the employee will explain that the outside agency must get a court order and serve the Records Custodian of the records being requested, such as Registrar's Office for enrollment information.
- C. If the outside agency has any further questions they can be referred to a supervisor at UWWPD.
- D. Exceptions to this policy:
 1. This does not apply to situations when a UWWPD staff member is actively working on a joint investigation with another agency, an agency simply requesting an employee provide information is NOT significant enough involvement to justify the joint investigation requirement. The UWWPD employee must document their involvement in this investigation in a written report.

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2. FERPA does provide for a health and safety exemption. Under this exemption the Department member is responsible for making a determination whether to make a disclosure of personally identifiable information, beyond directory information, on a case-by-case basis, taking into account the totality of the circumstances pertaining to the threat to the health and safety of the student or others. Any exemption made **MUST BE FULLY DOCUMENTED** within a written report in the departmental report management system.