

Texas State University
Department of Housing and Residential Life
Confidentiality of Student Disciplinary Records

The disciplinary records of students living in university housing are maintained by the Department of Housing and Residential Life as a designee of the Dean of Students. The records normally will contain the following:

- Original information provided by students, staff, and reporting mechanisms within the Department of Housing and Residential Life's incident reporting and conduct processes.

- All correspondence between the Residence Life designee and the student related to the DHRL conduct process.

- Additional administrative information relating to completed sanctions.

Students' disciplinary records are confidential. The records can be released only under certain conditions. Thus the following procedures were designed to protect students' rights and confidential nature of the records. These procedures are maintained by the Texas State Registrar's Office.

Release of Disciplinary Records:

A. Within Texas State University:

Records will be released to faculty, administrators, staff, and appropriate judicial bodies only on a need-to-know basis, as determined by the Department of Housing and Residential Life or the Dean of Students.

B. With Students' Written Consent Through the Texas State Registrar's Office or Lawfully Issued Subpoena:

- 1) To officials of other educational institutions in which a student seeks or intends to enroll
- 2) To potential employers
- 3) To parents
- 4) To federal or State Investigatory Agencies (FBI, Dept. of Defense, Dept. of Army, Navy, Secret Service, Dept. of Treasury, Correction agencies, etc.)
- 5) To graduate or professional schools such as law, medical, dental, etc.

C. Without Students' Consent:

- 1) To parents of students who are dependents as defined by IRS standards, and when a parent under these conditions initiates the request
- 2) To federal officers as prescribed by law
- 3) As required by state law
- 4) To accrediting agencies carrying out their functions
- 5) In response to a judicial order or lawfully issued subpoena (provided that the student is notified prior to other compliance or provided that a reasonable attempt to notify the student has been made).
- 6) By Texas State University police to other law enforcement agencies in the investigation of a specific criminal case.
- 7) To appropriate parties in a health or safety emergency

These rules are in accordance with the Family Education Rights and Privacy Act of 1974 (Buckley Amendment). More information regarding the Family Education Rights and Privacy Act and Texas State's processes regarding it may be found at: <https://www.registrar.txst.edu/legislative-policies/ferpa/students.html>