

SWARTHMORE COLLEGE
Swarthmore, Pennsylvania

1 September 1971

Enclosed is a statement which elaborates in greater detail than previously College policy regarding privacy and confidentiality at Swarthmore. It is incorporated in the Faculty Handbook which will be distributed to all faculty members. Additional copies will be available in the Library and the President's Office.

Robert D. Cross
President

PRESERVATION OF PRIVACY AND CONFIDENTIALITY OF RECORDS

Members of the College community are frequently asked for information about other persons in the Swarthmore community. The guidelines in Part I of this policy statement deal with questions of privacy; those in Part II with problems of confidentiality of official records. Any staff member in doubt about the application of these guidelines to a particular situation should consult his supervisor; any faculty member or student with such a question should consult an appropriate member of the College administration. Departures from the guidelines may be made only by express permission of the President.

Part I

Privacy of Students, Faculty, Staff

1. Verification of the authenticity of requests for information.

The credentials of any person requesting information should be checked. All police officials, government agents, and journalists have identification cards with photographs. If there is doubt about the authenticity of an identification card, the office of the person requesting the information should be called, and an attempt made to determine whether the request has been duly authorized. If requests for information concerning a member of the College community are received by mail, that person should, whenever possible, be consulted to verify the legitimacy of the request.

Agents of the F.B.I. or members of other investigative agencies of the government checking applicants for federal employment should be asked to show an authorization signed by the person under investigation, or similar evidence that the investigation has a specific, legitimate purpose related to employment or promotion in the government. If the investigator does not have such evidence, he should be asked to secure it before information is given.

2. Ideas and Information.

In a college community, students, faculty members, and staff will learn much about the ideas and beliefs of one another. This process should not be contaminated by the fear that ideas and beliefs, expressions and convictions, are being surreptitiously monitored, or systematically reported to persons or agencies outside the community. Intellectual freedom and mutual trust are indispensable to one another. In classrooms and seminars, in informal discussions in dormitories, dining rooms, and libraries, teachers and students must be free to adventure in ideas and expressions.

The communications system of the College, including the telephone and mail facilities, may not be used for surveillance. Messages to and from members of the College community must not be intercepted or monitored, nor information about the origin or destination of messages collected. Information fortuitously gained by those operating the communications system should not be passed on to others. Information gained in the cleaning of faculty offices student rooms, or other facilities is confidential, unless a violation of the law or of College regulations is apparent, in which case appropriate College authorities are to be notified.

When members of the community observe criminal activity, the Deans or the Director of the Physical Plant or the Head Residents of dormitories or Proctors should be called whenever possible; if it is necessary to call the police, such College authorities normally place the call.

3. Special areas of privacy.

Although investigations by government agencies usually do not require the respondent to divulge specific information, they usually request an evaluation of such information -- for example, the evaluation of a student's or faculty member's ideas, statements, or behavior. If the respondent feels that the subject to be recommended is not suited to the position for which he has applied, for reasons unrelated to his academic abilities, the respondent should exercise utmost care and discretion in his statement; it is possible and often advisable to give a negative recommendation without stating reasons. If the respondent feels any doubt about the loyalty of a current or past member of the College community because of his thoughts, opinions, statements, or beliefs, as distinct from his character or stability of personality, a written statement to the investigating authority will minimize the possibility of ambiguity or misunderstanding. Whenever possible or appropriate, a copy should also be sent to the person under investigation so that he may have the opportunity of presenting the investigating agency with a rebuttal.

Police and F.B.I. officials have, on occasion, sought information about the College community, or organizations or individuals within it, which bears no clear relation to any criminal activity or employment situation. Such requests should be referred to the appropriate job-supervisor, Dean, or Provost. Normally, requests for information by the news media are referred to the News Office. Requests for information from outside organizations or research groups are normally handled by the Registrar.

There may be occasions on which a faculty or staff member may wish to seek counsel from another member of the community in regard to difficulties he is aware of in a student or faculty member's ability to perform his work. In such an event, scrupulous regard must be shown to the privacy to which the person under discussion is preeminently entitled.

The rooms of students are accorded as much privacy as possible, but such privacy is not absolute. The College provides maid service for student rooms; it instructs maids not to open drawers or closets, but to report to appropriate authorities in the College visible violations of the law or College policies. Moreover, the College reserves the right to make inspections of dormitory premises when there are grounds for suspecting violations therein. Such inspections are conducted by College personnel with witnesses present. If major repair work is to be performed on a student's room during his absence, he is normally notified in advance.

No student is obliged to comply with surveys or questionnaires that may reach him, except for official College inquiries. Problems regarding the ethics of research method or other similar issues associated with questionnaires and surveys may be referred to the Committee on Research Ethics, or to the Deans.

4. Sanctions.

The College will apply sanctions to individuals violating the policies contained in this statement. All members of the College community should be kept thoroughly familiar with these policies and their preeminent importance to the well-being of the College.

Part II Confidentiality of Records

1. Student Records.

Disclosure to Students

A student is entitled to an official transcript of his own academic record (subject only to the conditions listed below, under Withholding of Information, page II-15). It is College policy that all other materials in student files are confidential. No student is permitted to see the transcript or academic record of another student without written permission by the person whose transcript is involved. A student has the right to inspect his academic record (from which transcripts are made), and is entitled to an explanation of any information recorded on it. When the original is shown, examination is permitted only under conditions which will prevent alteration or mutilation. A student who wishes to request copies of his transcript must do so in writing. A telephoned request for copies of a transcript by an alumnus will be honored only at the discretion of the Registrar.

Documents submitted by or for a student in support of his application for admission to Swarthmore are not returned to the student, nor sent elsewhere. In exceptional cases, copies may be prepared and sent elsewhere upon the written request of the student.

The financial records held by the Advisor on Financial Aid, and all medical records are disclosed neither to the student himself nor to any other student.

Disclosure to Faculty and Administrative Officers

Faculty and administrative officers of the College who have a legitimate interest are permitted to inspect the academic record of any student. The contents of the official academic record of a student are not sent outside the Office of the Registrar except in circumstances specifically authorized by the Registrar. Non-academic records of students are not disclosed to faculty members or administrative officers except under circumstances in which the need for such records can be clearly demonstrated.

Disclosure to Parents, Educational Institutions, and Other Agencies

The College does not routinely inform a student's parents of his grades, but such information may be released to parents who request it at the discretion of the Deans or Registrar. Requests from institutions of learning or other agencies for transcripts or other academic information must be accompanied by a written release from the student.

The Office of Financial Aid normally reports the academic progress of students to public or private agencies providing scholarship assistance.

The materials in a student's placement file (should one exist) are released to prospective employers only when the student requests such a release, or when it is clear that the prospective employer's request is the result of an application for employment by the student.

Neither non-academic records of students, nor information taken from these records are released to educational institutions, or other agencies, except with the express permission of the student involved.

Aggregate statistics derived from academic or non-academic records may be released only at the discretion of the Provost or President, provided that individual anonymity is carefully safeguarded. Permission to study student records as a source for scholarly work, whether or not such work is being performed at Swarthmore College, and whether or not the names of students will be used in the study, will not be granted except with the written approval of the President or Provost.

Administrative offices of the College will furnish information to other individuals or organizations only as per those items listed under Telephone Inquiries (page II-15), unless the request is accompanied by a release from the student.

Disclosure to Governmental Agencies

Properly identified representatives from federal, state, and local governmental agencies may be given the following information if expressly requested:

- (1) verification of the date and place of birth;
- (2) class;
- (3) dates of enrollment;
- (4) major, degrees earned, honors received, if any.

Such information is taken from the student's permanent record, but the investigating agent is not permitted access to the record itself.

Concerning the release of further information, it should be noted that governmental investigative agencies have no inherent legal right to access to student files and records. When additional information is requested, it is normally released only on written authorization from the student, and even in this case the College reserves the right to withhold such information. If the student does not give authorization, the information is released only on court order, or subpoena duces tecum. If a subpoena is served, the student whose records are involved is notified.

The College does not volunteer information about students to Selective Service Boards, except by specific request from the student or his local Board. When the College receives inquiries about a student from a local Board, it attempts to notify the student before responding.

Disclosure in Response to Telephone Inquiries

Only those items determined by the College to be matters of public record are released in response to telephone inquiries. Such items include:

- (1) whether or not the student is currently enrolled;
- (2) his or her graduation class;
- (3) major, degree earned, honors received, if any.

The College does not normally release addresses of students currently enrolled in response to inquiries from outside. Urgent requests for information about students (for example, address, telephone number, or immediate whereabouts) based on an apparent emergency are handled with appropriate discretion by College authorities.

Student Directories

Directories giving the names, addresses, and telephone numbers of all students are intended for internal use only.

Withholding Information

There may be conditions such as unmet financial obligations to the College under which the College will withhold grade reports, transcripts, certifications, or other information about a student. In such instances, the College will inform the student in writing of the reasons for withholding records.

2. Alumni Records

The alumni files are open to members of the College administration in pursuit of normal College tasks. Such information is not available to the News Office for publication without the consent of the individuals involved. The News Office may, however, release aggregate information derived from the alumni files for College publicity purposes. Use of alumni files for research purposes must be approved by the Provost and the Vice President for Alumni Affairs.

Information in the alumni files concerning addresses, maiden or married names, and the like is available to alumni. Information designated as public information (dates of enrollment, graduating class, major, degree earned, honors received, if any) that concerns a person's academic career can be released to anyone with a legitimate request.

3. Faculty Records

Records on faculty members are maintained by the President's and Provost's Offices, by the Business Office, and by department chairmen.

Files maintained by the Office of the President and Office of the Provost are held in strictest confidence; their contents are revealed to no one other than the President, Provost, and Vice President for Administration. In particular cases, however, these officers may release selected information to department chairmen or to faculty groups specified to review appointment or reappointment decisions, as designated by faculty-approved procedures.

Public information about faculty members such as their rank, length of employment, education, and the courses they teach may be given in response to any legitimate request. Financial information requested by credit bureaus or other agencies cannot be released except by written permission of the person involved or except by court order. Other personal information contained in official files is strictly confidential.

Public information about faculty members based on materials from official records may be released by the News Office. The News Office also releases other information supplied by the person about whom inquiries are made. Professional information such as education, publications, awards and prizes, and research efforts, may be released by the College to support institutional grant requests. The College requests that such information be held confidential by the recipient. Aggregate statistics based on information in official records is released only at the discretion of the Provost, President or Vice President for Administration. Such information is not released for commercial purposes.

4. Staff Records

Records on staff members are maintained by the Personnel Office and the Business Office. Public information about staff members includes the employing department and the period of employment. Financial information requested by credit bureaus or other agencies cannot be released except by written permission of the person involved or by court order. All other information contained in official files is confidential. In case an evaluation of performance of a present or past employee must be made for a reference for other employment, the official files may be consulted at the discretion of the personnel officer. Aggregate statistical information about staff members that is based on official records can be released only at the discretion of the Provost, Vice President for Administration, or President. Such information is not released for primarily commercial purposes.