

# MAINTENANCE, INSPECTION & REVIEW OF DISCIPLINARY EDUCATION RECORDS

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1. **Inspection and Review.** The University's procedures regarding the inspection and review of education records under the Family Educational Rights and Privacy Act ("FERPA") are as follows:
  - a. All students who are or have been in attendance at the University have the right to inspect and review their education records subject to the limitations and exceptions set forth in FERPA and its related regulations, 20 U.S.C. § 1232g and 34 CFR Part 99.
  - b. To facilitate the gathering and inspection of student records, all requests must be submitted in writing to the Community Standards via email at [community.standards@unh.edu](mailto:community.standards@unh.edu); neither requests to other university offices nor verbal requests will be honored. Hard copies will not be provided unless a failure to provide copies prevents an eligible party from accessing the necessary information.
  - c. If a student's request is unclear or insufficiently specific, a representative from the Community Standards may discuss the request with the student to assure that the appropriate records will be gathered for the student's review. The representative Community Standards will gather the requested records; review the records to confirm that they are complete and redact any FERPA-waived recommendations, information about other students subject to FERPA privacy obligations, or any other information protected from disclosure by FERPA or other applicable law; finally, the representative will make arrangements with the student to inspect the records in person.
2. **Maintenance and Oversight.** Community Standards is the designated Unit Custodian for disciplinary records. The Unit Custodian is the person who possesses the records or oversees the office that possesses the records. It is the Unit Custodian's responsibility to ensure proper access control and to handle, store, and dispose of the records as appropriate.
  - a. Education records belong to the University and, although students have the right to review and request amendments as set forth below, students are not authorized to photocopy, photograph, or otherwise image or duplicate university records. Students may, however, take personal notes regarding their educational records. Students should be mindful of the risks of sharing personal information from their educational records with those who are not subject to FERPA's privacy requirements.
  - b. Access to a student's education records will be provided within a reasonable period of time, but in no case will an offer to meet and review the records be made more than forty-five days after the request. If, after reviewing their educational records, a student believes that certain records encompassed by the request were not made available for inspection, the student should submit a follow-up request clarifying the additional records the student believes exist.
3. **Schedule for Record Retention and Disposal.** Community Standards complies with existing state and federal legal requirements and the university's policy and schedule for record retention and disposal. After the minimum retention period for a disciplinary record is reached, said record is disposed of unless it still serves a legal or operational purpose or has historic value.
  - a. Disciplinary records that include the issuance of University Suspension and any sexual harassment investigation, including any responsibility determination, and any required recording or transcript, as well as any sanctions imposed on the respondent, and any remedies provided to the complainant; any appeal and its result; and all materials used to train adjudicators, with regard to sexual harassment, are retained for a period of seven years in adherence with recordkeeping requirements described under the Clery Act regulations, 24 CFR § 668.24(e)(92)(ii), the Title IX regulations described in 34 C.F.R. § 106.45(b)(10), state law and relevant university policies.
  - b. Disciplinary records that involve the issuance of University Dismissal as the sanction are retained permanently. Typically, disciplinary records that include lesser sanctions or do not result in findings of responsibility will be retained for a period of three years.
  - c. Records of organizational misconduct, regardless of the outcome, will be retained for ten years.
  - d. Disciplinary records are subject to release according to the retention policies dictated by the controlling formal sanction. For students who have been sanctioned for more than one case, the most serious formal sanction is the controlling one. For students who have been issued their most serious formal sanction on more than one occasion, the most recent one is controlling.