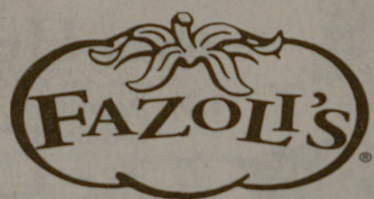


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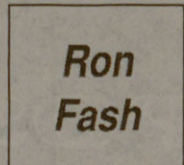
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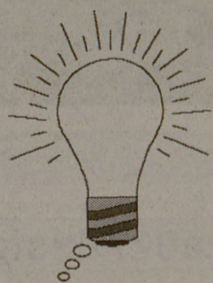
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Campus

Page 6A

THE BATTALION

Thursday, November 25, 2004

RECORDS

Continued from Page 1A

Under FERPA, educational records that can be withheld from public scrutiny if they contain information directly related to a student and are maintained by an educational agency, Morris said in the letter.

"We agree that this information must be withheld from disclosure in its entirety under the federal law," Morris wrote.

Rowan himself was not informed of what occurred during the closed session, though he said he reviewed the summation of findings from the investigation.

FERPA also identifies who should have access to private student records. The federal law dictates that the staff and administration of educational agencies may have access to the student's records. But in the case of the Sept. 3 meeting, student members of the council also examined the University investigation into Rowan's activities, which, according to the attorney general's opinion, could be prohibited by FERPA.

Kelly said the students were acting in a capacity for and on the behalf of the University.

"Being employed by the University isn't a factor," Kelly said. "Colloquially, we decide these cases on a need-to-know basis. I'm speculating here, but

"It seems like they're trying to have it both ways. This was unfortunate. FERPA is used as a way to hide things more than it should be."

— Donnis Baggett
publisher of B-CS Eagle

somebody may make a decision that it's important for others in this community to see [student records]."

Brady Creel, editor of *The Battalion* and a junior journalism and management major, disagreed with the University's claim that the information falls under FERPA.

"Those documents are not an indicator of Rowan's performance as a student, but as a

student leader, and should be part of any academic record," Creel said. "The council is more right to those documents than we do. The MSC should spend the students' fees but doesn't want to be held accountable to the body. I'm deeply disappointed that the attorney general's office chose to let the University hide things."

Providing documents to people other than those specified by FERPA — such as the MSC Council — violates the University's policy of the release of the information to the public, Donnis Baggett, publisher of the *Bryan-College Eagle* and an expert in the Freedom of Information Act, said.

"It seems like they're trying to have it both ways," he said. "This was unfortunate. FERPA is used as a way to hide things more than it should be."

Records related to the removal should be available to the public, Baggett said.

"An individual's records are one thing," he said, "but an elected member of the student body has a right to put himself in the limelight."

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