

9-2-1999

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Recommended Citation

"University of Dayton to Release Names, Violations, Sanctions Against Students Found Responsible for Major Violations" (1999).
News Releases. 8525.
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UNIVERSITY of



DAYTON

1850-2000

Sept. 2, 1999
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NEWS RELEASE

UNIVERSITY OF DAYTON TO RELEASE NAMES, VIOLATIONS, SANCTIONS AGAINST STUDENTS FOUND RESPONSIBLE FOR MAJOR VIOLATIONS

DAYTON, Ohio — Starting this fall, the University of Dayton will implement a new policy that permits the release of names, violations and University sanctions taken against students found responsible for violent crimes and non-forcible sex offenses.

Universities traditionally treat student disciplinary records as confidential, but recent amendments to a federal privacy law are allowing campus administrators to decide whether they want to release the final results of disciplinary proceedings for students found responsible for these kinds of serious acts. A recommendation supported by both student leaders and administrators at the University of Dayton, the state's largest private university, favors disclosure. The President's Council, comprising UD's top administrators, has voted to amend UD's student records policy and change the *Student Handbook*.

According to the amendment, crimes of violence include offenses that have as an element "the use, attempted use or threatened use of physical force against the person or property of another" and felonies that involve "a substantial risk that physical force against the person or property of another may be used in the course of committing the offense." Non-forcible sex offenses include incest and statutory rape.

The University of Dayton made the move following a campus-wide consultation about how new amendments to the Higher Education Act, passed by Congress last September, affect the release of student information under the Family Educational Rights and Privacy Act of 1974 (FERPA). UD is one of the first universities in the country to make a decision about how it will release student information under the new amendments, according to John Lowery, former member of the board of directors of the Association of Student Judicial Affairs and a doctoral candidate in Bowling Green State University's higher education administration program.

"Most schools are in a wait-and-see mode," he said. "We've seen a lot of people talking about it, but we haven't seen actual policy changes, though the University of Wisconsin system is debating this right now," he said, noting that the Department of Education has not yet

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released final regulations about how to implement the change.

“It was a clear and unanimous sense from the Student Government Association, the Student Life Council and administrators that acts of violence and non-forcible sex acts present a very real threat to the University community and that in the interest of the overall safety and security of the community the results of disciplinary hearings should be released,” said William C. Schuerman, vice president of student development and dean of students. “We have a moral obligation to be open and honest with students about crime on campus and how the University responds to violent or sexual offenses. The change in federal law allows us to disclose such information, and, as a campus community, we’ve decided it’s the right step to take.”

By releasing the names of students, the violations and the sanctions, the University is not saying these students have committed crimes. “It means that they have violated standards of behavior for this campus community,” Schuerman said.

The outgoing president of UD’s Student Government Association applauded the move. “I’m in support of disclosing this information because I think it’s vital to the campus community to know where danger may arise,” Rodell Mollineau said. “There’s a very, very small percentage of students who harm our community, but students need to know where danger lies. We think disclosure can prevent further incidents from occurring.”

The amendments to the federal privacy law also allow, but not require, campuses to release to parents of students younger than 21 information about alcohol- and drug-related disciplinary violations. University officials, under the recommendation of the Student Life Council, will inform parents of students younger than 21 when students are placed on disciplinary probation. The Student Life Council is an advisory group on issues of student life made up of students, faculty and staff.

“Under our new three-strikes-and-you’re-out alcohol policy, we will notify parents when students violate the policy the second time and are placed on probation,” Schuerman said. “Students and administrators agree that this is reasonable.”

UD is not the only university in the region to change its policy. In April, Miami University, a state-supported school, announced that it will disclose the same information as well as notify parents of any alcohol-related violations.

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