

School of Law
Faculty Meeting
May 12, 1975
4:00 p.m., Conference Room

MINUTES

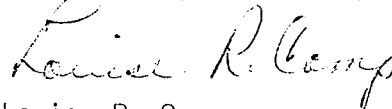
Present: Blackwell, Desiderio, Ellis, Evans, Flickinger,
Goldberg, Greenfield, Hart, Jones, Martinez,
Minzner, Muir, Norwood, Reynoso, Sanchez, Simson,
Teitelbaum, Utton, Walden

Dean Hart called the final meeting to order and attention was given to the following:

1. Minutes of the meetings of April 14th and 28th were approved.
2. On the recommendation of the Curriculum Committee, the faculty approved the Winter Session, 1975-76. See "A" attached.
3. Regarding the Program in Natural Resources Policy, Professor Walden spoke in favor of the program proposed by Professor Utton, saying that natural resources would be a plausible field for this school, since we already have the Natural Resources Journal, and because of the timeliness of the energy crisis and environmental interest and because of the desire for an interdisciplinary program. The faculty approved the Program in Natural Resources Policy, as amended. See "B" attached.
4. The faculty approved the Law School Policy on the Confidentiality of Student Records and, by way of implementing the policy, requested that each student be given a copy at registration time. See "C" attached.
5. Graduating seniors on the attached list were given conditional approval. See Minutes of June 6, 1975.

The meeting was adjourned.

Respectfully submitted,



Louise R. Camp
Secretary

THE UNIVERSITY OF NEW MEXICO

"A"

DATE: April 25, 1975

TO: Dean Frederick M. Hart
FROM: Jerrold Walden
SUBJECT: Winter Session, 1975-76

The Curriculum Committee has recommended that if finances permit, a Winter Session--1975-76 be held at the law school next year on an experimental basis.

The thought of the Committee is that numerous students have a month's free time which might be put to productive use in attending classes and getting credit. The Committee thought that we could perhaps offer two courses for two hours credit, each which might be of the exotic kind not otherwise available at UNM--e.g., Computer and the Law, Admiralty, International Business Transactions. We might be able to attract two teachers from out of the state who might like to spend CHRISTMAS IN NEW MEXICO. Classes would run from December 19, 1975, to January 16, 1975, and would meet for two hours a day--say, from 9:00 a.m. to 11:00 a.m. in the mornings. Christmas day and New Year's day would be holidays.

Students could enroll in one of the classes, either in the Spring or Fall semesters to eliminate all of the red tape which would be necessary to obtain approval for a Winter Session. The courses could be included in the student's regular tuition, or a special fee could be assessed--financing is not within the scope of the Committee's jurisdiction.

If you think such a program would be financially feasible, the Committee would appreciate your bringing the program to the attention of the faculty for approval at an early date in the future.

PROGRAM IN NATURAL RESOURCES POLICY

A student wishing to pursue the Program in Natural Resources Policy must be accepted into the program by the Dean of the Law School. To complete the program, the student must satisfactorily pass those courses specified by the Dean. The courses to be taken by the student will depend upon prior experience of the student but will include as a minimum 9 hours from the following courses:

- a) Environmental Law 580 (3)
- b) Individual Research 594 (1 - 6)
- c) International Legal Problems 505 (2)
- d) Land Use Planning 635 (3)
- e) Mining Law 619 (2)
- f) Seminar: Mining and Public Lands 574 (2)
- g) Natural Resources 565 (3)
- h) Seminar: Natural Resources Policy 680 (2)
- i) Oil and Gas 544 (3)
- j) Water Law 547 (2); and

six hours from the following courses or other relevant courses:

- a) Biology 479: Environmental Conservation (Prerequisite: 8 hrs. of Biology, or instructor's permission) (3)
- b) Economics 300: Micro-economic Theory (Prerequisite: Economics 200-201, Principles and Problems and Principles of Economics) (3)
- c) Economics 342: Environmental Economics (Prerequisite: Economics 201 or consent of instructor) (3)
- d) Economics 442: Natural Resources (Prerequisite: Economics 300) (3)
- e) Political Science 470: Environmental Politics (3);

and four hours of Natural Resources Journal. The number of semesters required to earn the four hours and the co- and prerequisites from environmental/natural resources courses, required for registering for the Journal, shall be determined by the Journal.

STATEMENT OF POLICY

It is the policy of the University of New Mexico School of Law to maintain accurate, up-to-date, and complete educational records of all students enrolled in the law school. Records shall be maintained in individual files on each student. Upon reasonable request, full access shall be accorded every student to his personal files at any time during his or her attendance at law school or at any time thereafter, and such student shall have the right to review and inspect all material contained therein. Corrections to the files may be made in accordance with appropriate procedures established by the law school. It is also the policy of the law school to maintain, with certain specified exceptions, the confidentiality of the contents of each student's files and not to disclose information contained therein without the student's consent.

A. STUDENT ACCESS TO RECORDS AND FILES

I. Maintenance of Files

All educational records relating to a student's admission and progress in law school shall be maintained in individual files under the name of each student presently enrolled or previously enrolled in the law school. Records, however, need not include data made by teachers and administrators for their own use and not shown to others or created or maintained by a physician, psychiatrist, psychologist or other recognized professional or para-professional for treatment purposes and which are available only to persons providing such treatment.

II. Right to Inspect Files and Records

Every person at any time enrolled in the University of New Mexico School of Law shall be afforded the right to inspect and review all materials contained in his file. Written notice requesting access to a person's file must be furnished at least twenty-four hours in advance to the Registrar, and files shall be made available only between the hours of 9:00 A.M. and 4:00 P.M. on working days. Review and inspection of files shall take place only in the office of the Registrar, and the latter shall provide copies of any records desired to be removed from the files upon request.

III. Correction of Records

If errors are contained in any file, or records are misleading or in violation of the privacy or other rights of a student past or present, the student may request the Registrar to correct or delete any inaccurate, misleading or inappropriate data or may insert into his records a written explanation respecting the interests of such records.

In the event that the Registrar refuses to make the requested correction or deletion, the student may then submit the request to the Dean. The request shall be in writing, specify in what respect the files are claimed to be in error, misleading, or inappropriate, and indicate in what manner it is desired that the records be changed or corrected. The Dean may grant the request or, within ten days, submit the request to a panel composed of two faculty members and one student selected by the Dean for a hearing on the request.

In the event of a hearing, the student shall have the burden of proving by a preponderance of the evidence that the files are inaccurate, misleading, or otherwise inappropriate as violating the student's rights. The hearing shall be closed unless otherwise requested by the student, and the latter shall be entitled to representation by counsel if desired. At the conclusion of the hearing, the panel shall make findings of fact and conclusions of law and direct the Registrar to take such action with respect to the request as it deems appropriate.

Records shall include the following:

- a. The application for admission, together with transcripts of all previous college and professional work undertaken.
- b. The pre-law grade average of applicant.
- c. The action of the administrative officer passing thereon.
- d. The date of admission.
- e. Law courses undertaken together with the grades and credits earned therein.
- f. Law courses for which the student is registered.
- g. Date of beginning and end of each period of attendance.
- h. Date of graduation or final dismissal from school.
- i. A record of all special action of the faculty or administrative officers affecting the individual.
- j. In the case of a special student or a student admitted after dismissal from another school on account of low scholarship, a statement of the considerations that led to the decision to admit the student signed by the admitting officer.

A.A.L.S. Memorandum 75-9 (5/28/75)
Amendment of Executive Committee
Regulation II.1

B. CONFIDENTIALITY OF STUDENT RECORDS

I. Release of Student Records or Information to Third Parties

The Registrar, or any other person having access or custody of student records including faculty and staff, shall not release, transfer or otherwise disclose any student records or files or any personally identifiable information contained therein, to any individual, agency, or organization without the written consent of the student, except as provided in paragraph III below, except that the following information may be released without the consent of the student unless he has specifically requested that his consent be obtained, viz.: student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities, dates of attendance, degrees awarded and awards received, and the most recent previous educational institution attended by the student.

II. Student Requests for Release of Records or Information

In the event a student wishes that his record, or any information contained therein, be transmitted to a third party, such as prospective employer or another educational institution, the student shall provide his or her consent in the form of a written request addressed to the Registrar specifying the records or information to be released, the reasons for such release, and to whom it shall be released, the reasons for such release, and to whom it shall be released. If the student desires a copy of the records or information released to such third party, he may request that an additional copy be provided to him or her.

In every instance in which records or information are provided to third parties, the Registrar shall notify such third party that the personal information being transferred is confidential and is being transferred on condition that the information is to be used solely for the purpose stated in the student's request and is not to be transferred or disclosed to any other party without the express written consent of the law student involved. The registrar shall also direct the attention of each third party to the provisions of sections 438, et seq of the Family Educational Rights and Privacy Act, U.S.C. .

III. Persons with Rights of Access to Student Records and Information

The following persons or agency representatives shall have the right of access to student records and information, without the prior written consent of the student, conditioned on their having a legitimate interest in the information sought, and on compliance with all regulations governing such access to such records. ~~The right of access to such information contained in any file to any third party without the written consent of the student.~~

- A. Members of the law school faculty and administrative staff who have legitimate educational interests in the information sought, or University financial aids officials in connection with a student's application for or receipt of financial aid;

- B. Officials of other educational institutions in which the student intends to enroll, upon condition that the student is given prior notice of the information to be transmitted, and the opportunity to object to such transfer, including the right to hearing as provided in Section A III, supra, and if requested by the student, a copy of all information transferred to such institution;
- C. Authorized representatives of (1) the Comptroller General of the United States; (2) the Secretary of H.E.W.; (3) an Administrative head of an educational agency as defined in Section 409 of the Family Educational Rights and Privacy Act of 1974; (4) State Educational Authorities in connection with the audit and evaluation of federally-supported education programs or in connection with the enforcement of federal legal requirements which relate to such programs; (5) State and local officials to whom state law on November 19, 1974 required information to be reported; (6) organizations concerned with "developing, validating, or administering predictive tests, administering student aid programs and improving instruction."; (7) accrediting organizations in order to carry out their accrediting function; (8) parents of a student who is a dependent for income tax purposes; or (9) appropriate persons in the case of health and safety emergencies. Prior to granting access to student records or files to any persons enumerated in this subsection, the Registrar shall refer all such requests to the Dean of the Law School, or his designate, for his consideration and approval.

IV. Record of Information Disclosure of Access

All persons, excepting the law faculty and administrative staff, who gain access to student records or information, or who transfer such records or information to any third party, shall make a record of each such access, disclosure, or transmission on a form prescribed by the Registrar. Such form shall record the name and address of the person gaining access to student records, the date of access or transfer, the reason for such access or transfer, and the name and address of any third party to whom student information or records are transferred or disclosed. This record or log shall be kept permanently, and shall only be available for inspection by the student and the Registrar.

V. Compliance with Court Orders or Subpoenas

In the event that a court order or subpoena requires the disclosure or production of student records or personally identifiable information contained herein, the Registrar shall, before complying with such court order or subpoena, give reasonable notice to the law student or students involved of such court order or subpoena. Once such notice is given to the student, the Registrar or other school official may comply with the court order or subpoena.