

FERPA AND CONFIDENTIALITY OF STUDENT RECORDS

The university ensures the confidentiality of student records in accordance with the provisions of various federal, state, and university regulations, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, also known as the Buckley Amendment. The statutes and regulations also provide certain rights to students concerning their education records.

FERPA Student Rights

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. **The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.** A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. **The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.** A student who wishes to ask the University to amend a record should write the University official responsible for the record the student wants changed, and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. **The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.** FERPA authorizes disclosure without consent in several situations, including but not limited to the following: A) The University may disclose education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisor, academic or research, or support staff position; a person or entity with whom the University has contracted as its agent to provide a service instead of using University employees or officials; a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. B) Upon request, the University may disclose education records without consent to an official of another school in which a student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. C) Directory information may be released freely unless the student files the appropriate form

requesting that certain public information not be released. This form is available in the Office of the University Registrar.

4. **The right to file a complaint with the U. S. Department of Education concerning alleged failures by the University of Florida to comply with the requirements of FERPA.**

The name and address of the office that administers FERPA is:

Family Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Release of student record information is generally not permitted at the University of Florida without the express, written consent of the student. There are, however, some important exceptions.

Directory Information is defined as the student's name, class and college, local and permanent addresses, listed telephone number, email address, enrollment status, most recent previous educational institution attended, dates of attendance at the University of Florida, majors, minors, certificates, concentrations and degrees earned, nature and place of employment at the University, honors and awards received, publication titles, participation in officially recognized or registered activities and sports, and weight and height of members of athletic teams.

Under FERPA, the university may release directory information without a student's prior consent, unless the student tells the university not to release this information, by placing what is known as a privacy hold. In order to place a privacy hold, the student must complete a Request for Nondisclosure of Directory Information, which is available from the Office of the University Registrar in 222 Criser Hall.

Two important details regarding placing a privacy hold on a student's record:

- The university receives many inquiries for directory information from a variety of sources outside the institution, including friends, parents, relatives, prospective employers, the news media and honor societies. A privacy hold will preclude the release of such information, even to those people.
- A privacy hold applies to all elements of directory information in a student's student record. The Office of the University Registrar does not apply the privacy hold differentially to the various directory information data elements. A request for a privacy hold will result in all data elements being withheld. Changes made by the online student directory will not be reflected on the student's academic record.

A copy of the FERPA act, more details about student rights and any university policies related to the FERPA are available from the Office of the University Registrar. Please refer any questions concerning FERPA to that office in 222 Criser Hall, 352.392.1374.

Confidentiality of Student Records

Directory Information that can be released to the public is limited to:

- Student name
- Class and college
- Local and permanent addresses
- Listed telephone number
- Email address

- Enrollment status
- Most recent previous educational institution attended
- Dates of attendance at the University of Florida
- Majors
- Minors
- Certificates
- Concentrations
- Degree earned
- Nature and place of employment at the university
- Honors and awards received
- Publication titles
- Participation in officially recognized or registered activities and sports
- Weight and height of university athletes

The Office of the University Registrar, the Department of Housing and Residence Education, and Human Resource Services routinely release directory information to the public. Directory information may also be released by other university departments and/or employees. Currently enrolled students must contact the appropriate agency/agencies to **restrict release of directory information**.

- Students who want to restrict directory information must do so at the Office of the University Registrar in 222 Criser Hall.
 - Students who live on campus also must request this restriction from the Department of Housing and Residence Education (next to Beaty Towers).
 - Students who are university employees also must request this restriction from Human Resource Services.
 - Students who do not want their addresses, phones or personal information published on the Web should update their directory profile.
- More Info

Student **educational records may be released** without the student's consent to school officials who have a legitimate educational interest in accessing the records. *School officials* shall include:

- An employee, agent or officer of the university or State University System of Florida in an administrative, supervisory, academic, research or support staff position;
- Persons serving on university committees, boards and/or councils; and
- Persons employed by or under contract to the university to perform a special task, such as an attorney or an auditor.

Legitimate educational interest shall mean any authorized interest or activity undertaken in the name of the university for which access to an educational record is necessary or appropriate to the operation of the university or to the proper performance of the educational mission of the university.

The university also may disclose information from the student's educational record without their consent to individuals or entities permitted such access under applicable federal and state law.

Students have the right to review their own educational records for information and to determine accuracy. A photo I.D., other equivalent documentation or personal recognition by the custodian of record will be required before access is granted. Parents of dependent students, as defined by the Internal Revenue Service, have these same rights upon

presentation of proof of the student's dependent status. Each spring when the catalog is published, students are notified of their FERPA rights.

If a student believes their educational record contains information that is inaccurate, misleading or in violation of their rights, she or he can ask the institution to amend the record. The UF Student Guide outlines the procedures for challenging the content of a student record, as well as the policies governing access to and maintenance of student records.

More Info

If a student believes the university has not maintained the confidentiality of their educational record as required by law, he or she may file a complaint by contacting:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202-5901
