



Northwest Florida State College

TITLE: FERPA AND STUDENT RECORDS

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See Also:

DATE ADOPTED: [Click here to enter a date.](#)

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SIGNATURE OF BOARD SECRETARY:

PURPOSE OF POLICY

To authorize the establishment and publication of Student Records and FERPA Policy

LOCAL LANGUAGE

In accordance with Florida Statute and rules, a policy shall be established by the Board of Trustees published in the college catalog and other college publications.

Family Educational Right to Privacy Act (FERPA), Buckley Amendment

Northwest Florida State College upholds the Family Educational Rights & Privacy Act (FERPA), which gives students the right to inspect, review, and amend their educational records. NWFSC students will be permitted to inspect their own educational records. In addition, the college will not release or disclose information or allow inspection of records without prior written permission from the student, unless, by law, prior consent is not required under certain circumstances. Under FERPA, students have the right to file a complaint with the U.S. Department of Education.

The college will provide currently enrolled students annual notification of their rights available under FERPA each fall of the academic year. The Student Handbook is produced within the College Catalog on an annual basis and provided to each student by way of the college's website. Copies are available at all college sites.

NWFSC will follow procedures that comply with the law, as follows:

Right to Review and Inspect

Students have the right to review and inspect their permanent student records. A student desiring to review records may do so by submitting a request, in writing, to the Director of Records who will schedule such inspections within 45 College days of the request. A student desiring copies of educational records may receive such after payment of a fee of \$1.00 per sheet. This is exclusive of normal transcript service.

Right to Amend Educational Records

The student, or eligible parents of the student, may direct challenges related to the accuracy of the records to the Dean of Students. The Dean of Students will schedule a hearing within 10 calendar days of initial notification of the challenge to allow the student to present evidence relevant to the matter at such hearing. The student, or eligible parents of the student, will be notified in writing of the results. A student can insert a statement in his/her record after a hearing, if the college maintains, upholds or is against the challenge.

Definitions

Eligible Parent - A parent or guardian who provides documentation that supports the student is a legal dependent for tax purposes, or provides a signed release as designated by official documentation.

Disclosure

There are two types of information distinguished under FERPA: personally identifiable information and directory information. Certain conditions exist with regard to disclosure of each kind of information. Northwest Florida State College complies as follows:

1. Personally Identifiable Information

Personally Identifiable Information is information that would include identifying data such as social security number, academic work completed, grades, achievement test scores, aptitude test scores, health data, or other personal characteristics or information which would make the student's identity easily traceable. Prior consent, in the form of a signed and dated document, must be provided by the student to authorize the College to disclose personally identifiable information. The consent must specify records that may be disclosed, should state purpose of disclosure, and must identify party or class of parties to whom disclosure may be made.

2. Directory Information

FERPA allows for the disclosure of directory information as identified by the institution. NWFSC has designated the student's name, city or county of residence, major field of study, most recent education agency or institution attended, degrees, ~~college photo ID~~, honors and awards, height and weight of student athletes and participation in officially recognized activities received as directory information. A student has the right to refuse designation of any or all of this directory information by notifying the Director of Records, in writing within 10 calendar days of the student's initial enrollment before each semester or term.

Exceptions:

FERPA allows for the release of student records without written consent of the student under the following conditions:

1. School officials with legitimate educational interest.
 - a. The college has designated school officials such as faculty, administration, professional employees, support staff, work-study students, or persons employed by or under contract to the college (example: an attorney or auditor) acting as an official agent of the college to perform a business function or service on behalf of the institution such as data collection.
 - b. A school official is determined to have legitimate educational interest if the information requested is necessary for that official to: perform appropriate tasks that are specified in his or her position description or by a contract agreement; institution research and studies, perform a task related to a student's education; perform a task related to the discipline of a student; provide a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid;
 - c. Disclosure to a school official having a legitimate education interest does not constitute institutional authorization to transmit, share, or disclose any or all information received to a third party. An unauthorized disclosure of personally identifiable information from the education record of the students is prohibited;
2. In compliance with a court order or subpoena;
3. Eligible parents of a dependent student or such parents as defined in Section 152 of the Internal Revenue Code of 1954;
4. To schools in which a student seeks or intends to enroll (the College will make an attempt to notify the student that records are being provided);
5. To the Comptroller General of the United States; Attorney General of the United States; The Secretary of the Department of Education; and Federal, State and Local educational authorities involving an audit or evaluation of compliance with education programs;
6. In connection with the financial aid process;
7. In the event of a health or safety emergency where the information is required to resolve the emergency; a student under age of 21;
8. The result of a disciplinary hearing where the student is the perpetrator crime of violence or a non-forcible sex offense. Under this exception, information may be released to anyone, including the media. No information on the victim or witnesses may be released;

A student has a right to file a complaint with the U.S. Department of Education. There are two basic requirements for a complaint to be properly filed against an institution in relation to FERPA infractions:

- The complaint must be made within 180 days of when the infraction was discovered.
- There must be sufficient facts (evidence) to prove the violation.

The Family Policy Compliance Office, U. S. Department of Education, 400 Independence Ave., SW, Washington, D.C. 20202-4605 is the office responsible for enforcing/administering the Family Educational Rights and Privacy Act and should be contacted to file a complaint.