

UNIVERSITY OF WEST FLORIDA

**NOTICE OF PROPOSED AMENDMENT TO REGULATION
UWF/REG 3.017**

REGULATION TITLE: UWF/REG 3.017 Release of Student Educational Records

PURPOSE AND EFFECT: The purpose and effect of the regulation is to comport with BOG 6.015 requiring universities to define directory information regarding student education records.

SUMMARY: The proposed amendment to UWF/REG 3.017 addresses directory information. Directory information is the information available about a student that is not considered harmful or an invasion of privacy if disclosed. While federal and state law protect the privacy of educational records, directory information is not treated as confidential and may be disclosed by the university without student consent unless the student has requested a privacy hold. The proposed amendment removes *class schedule* from information that is designated “directory information” by the university, amends the text to remove the implication that public access to directory information is automatic, and updates references and contact information.

AUTHORITY: Florida Board of Governors Resolution dated January 7, 2003; Florida Board of Governors Regulation Development Procedure; Section 1002.22, Florida Statutes.

NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION AMENDMENT: Ann Dziadon, Registrar.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: James Felder, Assistant General Counsel, jfelder@uwf.edu, Phone (850) 474-3420; FAX (850) 857-6058; Bld. 10/Rm 128; 11000 University Parkway; Pensacola, FL 32514-5750. Any comments regarding the proposed regulation amendment must be sent in writing to the contact person on or before February 17, 2009 to receive full consideration.

THE DATE THIS NOTICE WAS POSTED ON THE UWF BOARD OF TRUSTEES WEBSITE:
February 3, 2009

THE FULL TEXT OF THE PROPOSED AMENDMENT TO THIS REGULATION IS SET FORTH BELOW:

University of West Florida Regulations
UWF/REG-3.017 Release of Student Educational Records.

The University established the following standards for access to student educational records:

(1) Educational records comprise any written information or recorded data maintained by the University which are directly related to a student who has applied for admission or who is or has been in attendance.

- (a) The following include most educational records maintained by University custodians:
1. Academic Records (Departmental) – Faculty Chairpersons and Deans.
 2. Academic Records (Permanent) – Academic Services/University Registrar.
 3. Alumni Records – Director, Alumni Affairs.
 4. Cooperative Educational and Placement Records – Director, Cooperative Education and Placement.
 5. Counseling Records (Non-Academic) – Director, University Counseling Center.
 6. Disciplinary Records – Vice President for Student Affairs.
 7. Financial Aid Records – Director, Student Financial Aid.
 8. Health and Medical Records – Director, University Health Center.
 9. Housing Records – Director, University Housing.
 10. Police Records – Director, Public Safety and Security.
 11. Student Teaching Records – Director, Student Teaching.

(b) The following are not educational records and are not subject to this policy:

1. Records maintained by individual University personnel which are solely in their possession and are not revealed to others.
2. Records maintained by University police which are solely for law enforcement purposes and are not revealed to other than law enforcement officials.
3. Records maintained by University employees which relate solely to the student as an employee and are not revealed to others for any other purpose.
4. Records maintained by University medical or psychological personnel which are solely for treatment and counseling purposes and not revealed to others for any purpose.
5. Records maintained by University personnel which contain only information relating to persons after they are no longer students.
6. Financial records of students' parents.
7. Confidential letters and confidential statements of recommendation written before January 1, 1979.
8. Confidential letters and confidential statements of recommendation written after January 1, 1975, provided the student waived in writing the right of inspection and review.

(2) The University may disclose to the general public any information from student educational records which is designated as "directory information." The following student data ~~comprise~~ is defined as University directory information. ~~and are available to the public.~~

- (a) Student name, address, and telephone number.
- (b) Date and place of birth.
- (c) Major field of study.
- (d) ~~Class schedule.~~
- (e) Participation in recognized activities and sports.
- (f) Weight and height of athletic team members.
- (g) Dates of attendance.
- (h) Degrees and awards received.
- (i) Most recent school previously attended.

(3) Access to student educational records.

- (a) Access by Students – Students who are or have been in attendance are permitted to inspect and review their educational records as defined above in (1).
- (b) Access by Others – Students must provide written consent before personally identifiable information can be disclosed to others from their educational records. The exception is that the University may disclose identifiable information from student educational records, without student consent, as follows:
 1. Officials and faculty of the University or other State of Florida school officials who have a legitimate educational interest in the information.
 2. Officials of other schools in which the student seeks to enroll.
 3. Federal, state, local and independent agencies, and representatives as authorized by federal and state law, who have a legitimate educational interest in the information.
 4. Officials presenting a judicial order or lawfully issued subpoena.

5. Appropriate parties in a health or safety emergency.
6. Parents or legal guardian of a dependent student as defined in the Internal Revenue Code of 1954, after presenting proof of student dependency.

(4) Procedures for Access:

- (a) Students who wish to have material disclosed to others from their educational records must contact the custodian of those records and sign the proper consent form. All other requests to inspect and review student educational records should also be directed to the records' custodian.
- (b) Within a reasonable time period, the University Custodian will provide the requested records, explanation and interpretation of the records, or copies of the records. Copy of disclosed materials will be provided to student upon request. A fee may be charged to cover actual cost of reproducing the records.
- (c) Custodians will maintain a record of the disclosures of personally identifiable information and of the parties who have obtained such information from student educational records.
- (d) Custodians will specify in writing the criteria for determining "school officials" and "legitimate educational interest."

(5) Students have the following rights:

- (a) Students shall be informed annually of their rights and procedures relating to educational records. Students may waive in writing any of their rights regarding educational records. Complete information and regulations governing educational records are available in the Office of the Vice President for Student Affairs and Office of ~~Academic Services~~the University Registrar.
- (b) Students may authorize in writing the disclosure to others of personally identifiable information from their educational records.
- (c) Students may challenge the accuracy of their educational records and request the University to amend them. If the request is refused, students will be so informed and advised of the right to a hearing in accordance with the Student Grievance Process, ~~Rule 6C6-UWF/REG~~ 3.011, ~~F.A.C.~~ Students may place in their educational records a statement commenting upon the contents of the records.
- (d) Students may refuse in writing to permit the designation of any or all categories of directory information. ~~personally identifiable information available to the public.~~
- (e) Students may file complaints with the Family ~~Policy Compliance Office, Educational Rights and Privacy Act Office, Department of Health, Education, and Welfare, 330 Independence Avenue, U.S. Department of Education, 400 Maryland Avenue~~ S.W., Washington, D.C. 20202-59204.

Specific Authority 240.23 7 FS., BOR Rule 6C-6.015, F.A. C. Law Implemented 240.03 7 FS., BOR Rule 6C-6.015, F.A. C. History– New 10-24-79, Formerly 6C6-3. 17. Converted to UWF/REG 3.017-7/21/05. Amended.