

Student Records and Privacy

Family Education Rights and Privacy Act (FERPA)

What is FERPA?

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Florida State College at Jacksonville complies with the regulations governing the implementation of the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended.

Access to Education Records

Under this Act, a student or parent (if eligible) will be accorded access to the student's record within a reasonable time after the submission of a written request to the custodian of that record. Suitable arrangements will be made by the College to permit the record to be reviewed in the presence of a representative of the custodian of the record.

Once a student is enrolled in a postsecondary program, parents no longer have any rights to student information under this Act unless the student gives written consent to release the information to the student's parents, or the parents provide evidence that the student is a dependent of the parents as defined in section 152 of the Internal Revenue Code of 1954.

Amendment of Education Records

If a student believes his or her education records contain inaccurate or misleading information or information that violates the student's right to privacy, the student may request the College amend his/her student records. The College must make a decision within a reasonable time. If the College decides not to make the amendment as requested by the student, the College must inform the student of its decision and the student's right to a hearing.

The hearing must be held at a reasonable time and place, at which time the student or parent (if eligible) may present any evidence he or she may have in support of the amendment. A decision must be made in writing within a reasonable time after the hearing. The decision must be solely based on the evidence presented at the hearing. If the College agrees with the student, it must amend the student record and notify the student in writing. If the College does not agree, it must advise the student that the student may place a written statement in the file commenting on the contested information or the nature of the disagreement.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. They may address their complaint to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Disclosure of Education Records

Students or parents (if eligible) must consent to the release of any student information other than directory information to any person or agency. This consent must be in writing, signed, dated and must specify the information to be released, the reason for release and the names of individuals to whom the information is to be released.

Disclosure without consent will be exercised by the College to school officials with legitimate educational interests. A school official is defined as a person employed by the College as an: administrative, supervisory, academic, support staff position (including safety and security staff), person employed by an educational entity with which the College has an educational agreement or contract who has a legitimate educational interest, person or company with whom the College contracted (such as auditor, collection agent, credential and enrollment verification services), or assisting another official in performing his or her tasks. A school official has a legitimate educational interest if he or she needs to review an educational record in order to fulfill his or her professional responsibility.

In addition, the College may disclose identifiable information from student educational records without student consent to include, but not limited to, officials presenting a judicial order or lawfully issued subpoena, and to military branches in accordance with federal guidelines.

The following information about an individual student is classified as "directory information" and may be released upon request to any person. The individual student or parent (if eligible) has a right to submit a request in writing to the custodian of the student's record that all or any part of the directory information not be releasable. Access to, or release of directory information will be withheld until further written instruction is received for a student or parent (if eligible).

The College defines directory information as follows:

- Student Name
- Major field of study
- Dates of Attendance
- Degrees, Certificates or Diplomas Received
- Honors Received

Individual students or parents (if eligible) have the right to submit a request in writing to the custodian of student records that all or part of the directory information NOT be released. Send request in writing to: College Registrar, Florida State College at Jacksonville, P.O. Box 40515, Jacksonville, FL 32203-0515 Access to or release of directory information will be withheld until further written instruction is received for a student or parent (if eligible)

Annual Notification of Rights

Under FERPA, a school must annually notify eligible students in attendance of their rights under FERPA. The annual notification for Florida State of College at Jacksonville is published in the Student Handbook

Law Enforcement Units and Law Enforcement Unit Records

"Law enforcement unit records" (i.e., records created by the law enforcement unit, created for a law enforcement purpose, and maintained by the law enforcement unit) are not "education records" subject to the privacy protections of FERPA. As such, the law enforcement unit may refuse to provide an eligible student with an opportunity to inspect and review law enforcement unit records, and it may disclose law enforcement unit records to third parties without the eligible student's prior written consent. However, education records, or personally identifiable information from education records, which the school shares with the law enforcement unit do not lose their protected status as education records because they are shared with the law enforcement unit.