

Policy Manual



Title: Student Records	Number: 6Hx2-5.03
Legal Authority: <i>Fl Statutes</i> 1002.22; 1006.52 Family Educational Rights and Privacy Act	Page: 1 of 3

GENERAL STATEMENT

The College will protect the rights of students and their parents or guardians with respect to student record information that is created, maintained, and used by the College. The College will provide access to such records in accordance with the Family Educational Rights and Privacy Act (FERPA) and *Florida Statutes*, Chapter 1002.22. All requests for student records must be made to the Vice President for Student Affairs and Enrollment Management or designee.

No record will be created or retained without a legitimate educational purpose for the information contained therein. The College will protect the confidentiality of a student's record and share information only with members of the College community who have a legitimate educational interest.

Except for compliance with federal and state laws, court orders that compel the release of student records, and subpoenas that provide appropriate notice to the student, student records of a counseling or non-academic nature will not be made available to any outside person without written authorization from the eligible student or parent. A release of information pursuant to the above will be made only upon payment of the fee established by the Board of Trustees.

In cases where there is a health and safety emergency, all College personnel are authorized to utilize any information as necessary to protect the health and safety of persons and property. Such release of information will not be considered a violation of College Policy.

The College reserves the right to deny access to directory information when such action is deemed necessary to protect the rights of the student.

THE POLICY AND THE STUDENT

Students have the right to inspect their own official records and to authorize the College in writing to release information to outside sources. Parents of a student who is a dependent on the parents' Federal Income tax return are also authorized to review their child's record. In accordance with the provisions of *Florida Statutes*, Chapter 1002.22, eligible students and parents have a right to challenge the content of their record.

Schools may disclose, without consent, "directory" information; however, the College must annually notify students and parents of their rights under FERPA to "opt out" of the release of directory information. The College notifies its students at the beginning of the fall and winter term in the student newspaper and in the annual printing of the *Student Handbook*. The College may restrict the dissemination of directory information when the request is made for commercial purposes.

Student-generated documents are not considered working documents of the College or permanent student records, and it is the responsibility of the student to dispose of the document should they produce the document. A student-generated document is information generated by the student for his/her own use.

History: Revised on July 15, 1980; revised on September 21, 1982; revised on September 18, 1984; revised on July 23, 1997; revised on June 3, 1998, revised August 26, 2008

Approved by the Board of Trustees	Date August 26, 2008	President's Signature 	Date August 26, 2008
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An eligible student or parent may exercise his/her rights under these provisions by submitting a request in writing to the appropriate Campus Registration Coordinator, the Office of the Associate Vice President for Student Affairs/College Registrar, or the Vice President for Student Affairs and Enrollment Management.

Release of Military Recruitment Information

In accordance with United States Code Title 10 Section 983 and Florida Statutes Section 1004.09, the Colleges shall grant military recruiters access to recruiting information including the names, addresses, telephone listing, dates and places of birth, academic major, degrees received, and most recent educational institution for students attending the College. The information provided to military recruiters is not subject to the definition that the College has established for “directory information” as defined in this Policy. Students who opt out of the release of College directory information will also be considered to have opted out of the release of military recruitment information.

THE POLICY AND THE FACULTY AND STAFF

Student records information may be released to faculty and staff for legitimate educational purposes. Faculty and staff will not release student records to any third party individual without authorization from the student or parent, as appropriate.

IMPLEMENTATION AND OVERSIGHT

The Associate Vice President for Student Affairs/College Registrar, under the supervision of the Vice President for Student Affairs and Enrollment Management is responsible for implementation and oversight of policy compliance. All requests for information containing student records, from students, parents or third parties should be directed to Vice President for Student Affairs and Enrollment Management. Records will be released in compliance with federal and state laws and BC policy governing student records.

VIOLATION OF POLICY

Students and eligible parents who believe there has been a violation of their rights regarding student records are encouraged to contact the Associate Vice President for Student Affairs/College Registrar. If a resolution is not achieved, students and eligible parents may grieve the alleged misconduct in accordance with *Florida Statutes*, Chapter 1002.22 or they may contact the United States Department of Education’s Family Policy Compliance Office.

Any person who improperly obtains records may be subject to discipline in accordance with the Student Conduct and/or referral to appropriate law enforcement agencies.

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DEFINITIONS

Directory Information – name, enrollment status, degrees and awards received, and statistics pertaining to a student’s participation in officially recognized sports and activities.

Eligible student - a student who has reached 18 years of age or is attending an institution of postsecondary education

Eligible Parent - a natural parent, an adoptive parent, or a legal guardian of the student as defined in the *Internal Revenue Code of 1954*. An individual invoking the *Code* must present evidence showing his/her compliance with this provision.

Student Record - files, documents, electronic images, and other formats which contain information directly related to a student and which are maintained as a permanent record at the College. Drafts or notes are not considered student records. The term “Records” does not include:

1. records of instructional, supervisory, and administrative personnel, which are in the sole possession of such personnel and which are not accessible or revealed to any other person except as a replacement for that person;
2. records of law enforcement units of the College, which are maintained solely for law enforcement purposes and which are not available to persons other than officials of the College or law enforcement officials of the same jurisdiction;
3. records made and maintained by the College in the normal course of business which relate exclusively to a student in his/her capacity as an employee/student worker and which are not available for any other purpose;
4. records created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional or paraprofessional capacity or assisting in that capacity, which are created, maintained, or used only in connection with the provision of treatment/or services being provided to the student and which are not available to anyone other than persons providing such treatment and/or services in accordance with Title II of the Health Insurance Portability and Accountability Act (HIPAA).
5. directory information as defined in the *Florida Statutes*, Chapter 1002.22 and the FERPA;
6. other information, files, or data which do not permit the personal identification of a student;
7. letters or statements of recommendation or evaluation which were confidential under Florida law and which were received and made a part of the student’s educational records prior to July 1, 1977;
8. copies of the student’s fingerprints; and
9. working records, which consists of material used in the course of daily College business, which is not a “permanent record.”

[Link to Procedure A6Hx2-5.03](#)

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