

WHAT ARE MY RIGHTS UNDER FERPA?

FERPA is the Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment. It has three purposes. First, it protects the privacy of student educational records. Second, it guarantees students the right to review educational records and to seek to amend those records. Finally, it gives students the right to limit disclosure of information from their records. The Act applies to all institutions that receive federal funding which includes Polk State College.

When is the student covered under FERPA?

An eligible student is defined as any matriculated individual who is currently attending or who formerly attended Polk State College. Applicants who are either refused admission or decline to matriculate do not fit the definition of eligible student and therefore are not covered under FERPA. A matriculated individual has passed the Add/Drop deadline of a term and therefore has a transcript record with Polk State College. Students gain FERPA rights when they turn 18 or enter a postsecondary institution at any age. This definition applies to all credit and non-credit students.

What educational records are covered by FERPA?

Educational records are defined as those records pertaining to the permanent academic records of the student, testing data, disciplinary records, and financial information. These records can be in any medium such as handwritten, print, tapes, film, or electronic. This category also covers all records maintained officially by the College which do not come under the categories of Directory Information or Sole Possession Records.

What records are not covered by FERPA?

Records not covered by FERPA include the following:

- ✓ **Sole Possession Records** - These include personal notes or records retained by one individual for his or her own purposes. For example, an instructor's personal notes do not fall under FERPA. These personal records can be shared with a substitute employee.
- ✓ **Peer Graded Coursework** - Are covered when the instructor collects them and leaves the classroom with them.
- ✓ **Law Enforcement Records** - Maintained solely and revealed only to law enforcement agencies.
- ✓ **Employment Records** - Related to non-work-study employment situations.
- ✓ **Medical Records** - Created by a health care professional and used only for the treatment of the student.
- ✓ **Alumni Records** - Records relating to alumni donations and activities with the alumni association but not related to educational, student life or other records during the time the student attended PSC. Any communication with a former student that is not directly related to the student's academic record.

Who can access student information without consent?

- ✓ School officials with a legitimate educational interest. A school official is defined as any employee of PSC or agent of the employee. The information sought must be used within the context of official College business and not for purposes extraneous to the official's area of responsibility or to the College. Disclosure to a school official having a legitimate educational interest does not constitute authorization to transmit, share, or disclose any information received to a third party.
- ✓ Other schools to which a student is transferring or enrolled.
- ✓ Appropriate officials and parents of a student regardless of the student's IRS dependent status if the college determines there is a significant threat to the health or safety of a student or other individuals.
- ✓ Federal and state educational, audit/compliance or accreditation agencies and bodies.
- ✓ Parties presenting a judicial order or subpoena.
- ✓ Appropriate parties in connection with financial aid to a student.
- ✓ Organizations conducting certain studies for or on behalf of the school.
- ✓ State and local authorities within a juvenile justice system who are obeying a specific State law.
- ✓ The College when using directory information for college and educational purposes.
- ✓ .

What are a parent's rights under FERPA?

Under FERPA, parents have limited rights to eligible student information. All parents have the right to directory information unless the student has filed for non-disclosure. Parents of a child who is a legal dependent under IRS code may obtain non-

PARENTS AND STUDENTS WITH QUESTIONS ABOUT FERPA RIGHTS, AND PRIVILEGES SHOULD CALL
THE OFFICE OF THE REGISTRAR AT 863-297-1016 OR GO TO www.ed.gov AND SEARCH FOR FERPA.

Polk State College Board Rule # 4.09

directory information. Proof of dependency is required. Parents of a child who is not a legal dependent under IRS code may obtain protected information only by obtaining a signed consent from their child or a court order. Contact the College Registrar for further information. Parents should contact the College Registrar for further information.

What are a student's rights under FERPA?

All present and former students are guaranteed the following rights:

- ✓ Students have a right to know where educational records are kept.
- ✓ Students have a right to inspect their educational records with sufficient written notice to the College Registrar.
- ✓ Students have the right to have records amended if necessary, by following institutional procedure to request changes.
- ✓ Students have the right to file a complaint with the U.S. Dept. of Education if they feel their rights are being violated.
- ✓ Students have the right to educational record confidentiality except where special provisions are made.
- ✓ Students have the right to prevent the disclosure of directory information.

What is "Directory Information"?

It is information that can be released without the student's written consent. Each college, to some extent, can determine what information is classified as directory information. Directory Information is released only at the discretion of PSC for college or educational purposes.

Directory Information at Polk State College includes:	It does not include:
Name	Class attendance
Address (Primary)	Student ID #
Telephone	Social Security #
Dates of Attendance/Enrollment and Status (Full-time or Part-time)	Ethnicity/Race/Nationality
Hometown	Gender
Classification (Fr., So.)	Financial status or information
Previous institutions attended	Grades or GPA
Photos	Class lists
Current Primary Program Objective	Student schedule
Awards	Disciplinary records
Honors	
Degree(s) conferred (including dates and any graduation honors)	
Past & present participation in officially recognized sports and activities	
Physical factors of athletes	

What is the procedure for limiting the release of directory information?

You may request to have non-disclosure status. This will protect the release of the above listed directory information in addition to the already FERPA protected non-directory information. The student must complete a non-disclosure form in person at the Admission and Registrar's office on the Lakeland or Winter Haven PSC campus. The signed non-disclosure form will remain in effect until the student changes it in person and in writing.

What information can be removed from an educational record before a student views it?

- ✓ Any information that pertains to another student.
- ✓ Financial records of the student's parents.
- ✓ Some confidential letters and statements of recommendation under conditions described in FERPA section §99.12.
- ✓ Any document for which the student has signed a waiver of rights.

What College policies apply to electronic transmission of student information?

Polk State College recognizes that educational institutions are increasingly using electronic data exchanges related to students' academic records, financial aid, and other certified services. All College policies and procedures follow FERPA guidelines to protect student and parental privacy. Students are required to abide by electronic exchange policies found in the PSC catalog and handbook. For the protection of all student information, PSC students may not share their student identification, log-on, and password with others.