

New College of Florida
Office of the Registrar

FERPA Statement

New College of Florida complies with the Family Educational Rights and Privacy Act of 1974, as amended. The act was designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the amendment of inaccurate or misleading data. FERPA affords every student the following rights with respect to his or her education records:

The right to inspect and review the student's education records within 45 days once a student has submitted a request. A student should submit to the registrar, dean, division chairperson, or other appropriate official a written request that identifies the records he or she wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

Records Exempt: The law exempts student access to certain records under specific conditions, including

- a. Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
- b. Records of a law enforcement unit of the College (Campus Police) created by the unit for a law enforcement purpose and maintained by the unit.
- c. Records of a student who is 18 years old or older that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity and that are used only in connection with treatment of the student and disclosed only to individuals providing the treatment.
- d. Financial information submitted by parents.
- e. Records relating to individuals who are employed by the institution, when the records are made and maintained in the normal course of business, relate exclusively to individuals in their capacity as employees, and are not available for use for any other purpose. However, records of students who are employed as a result of their status as students (e.g., work study) are education records.
- f. Records that contain only information about the student after he or she is no

longer a student at the College.

- g. If the education records of a student contain information on more than one student, the parent or eligible student may inspect, review, or be informed of only the specific information about the student.
- h. Confidential letters and statements of recommendation placed in the records after January 1, 1975, to which the student has waived his or her rights to inspect and review and that are related to the student's admission, application for employment or job placement, or receipt of honors.

The right to request amendment of the student's education record that the student believes is inaccurate or misleading. The student should write to the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student upon notification of the right to a hearing.

The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. FERPA permits disclosure without consent to school officials with legitimate educational interests. A school official is any person employed by the College in an administrative, supervisory, academic, research, support staff, or volunteer position (including campus police personnel and health services staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the board of trustees; or a student serving on an official committee (such as a disciplinary or grievance committee) or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Under certain emergency situations, it may be necessary to release information to protect the health or safety of the student or other students.

FERPA also permits disclosures of personally identifiable information without consent to schools in which a student seeks or intends to enroll; to federal, state, and local authorities in connection with an audit or evaluation of compliance with education programs; in connection with financial aid; to organizations conducting studies for or on behalf of educational institutions; to accrediting organizations; and to comply with a judicial order or subpoena.

Directory Information: In accordance with the act, College policy limits disclosure of personally identifiable information from the education records of students (with the

exception of "directory information") to those instances authorized by the act. In accordance with FERPA, New College of Florida has designated the following items as public or "directory information:" a student's name, dates of attendance and enrollment status, date of graduation, and degrees and honors awarded. Such information may be disclosed by the College for any purpose, unless specifically requested not to do so by the student.

A currently enrolled student may withhold disclosure of directory information under FERPA by completing a request form available at the Office of the Registrar. Directory information will continue to be withheld until the student rescinds this request.

Disclosure of Education Record Information to Parents: New College of Florida may disclose student record information (including the outcome of academic work and contracts) to the parents of an eligible student who claim that student as a dependent for federal income tax purposes, unless there is a court order, state statute, or other legally binding document prohibiting such disclosure. New College of Florida provides a form to incoming students to authorize release of their education record information to any designated individuals; the form also allows the students to indicate whether they are independent or dependent for income tax purposes. (If dependent/independent status changes, the student should notify the Office of the Registrar.) If the student claims he or she is not a dependent, the parents will need to submit a copy of their most recent federal income tax form to the Office of the Registrar as evidence that the student is a dependent.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by New College of Florida to comply with the requirements of FERPA. The office that administers FERPA is the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605.