

FLORIDA GATEWAY COLLEGE

POLICY

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TITLE: Access to Student Educational Records

NUMBER: 6Hx12:9-34

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AUTHORITY: District Board of Trustees

PAGE: 1

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RESPONSIBILITY: Director of Registration/Registrar

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OTHER: Federal Law  
Family Educational Rights and Privacy Act of 1974  
Florida Statute 1001.64

DATE: See History  
Below

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It is the policy of the Florida Gateway College District Board of Trustees to outline how the College will implement and provide for the 1974 Family Educational Rights and Privacy Act, also known as the Buckley amendment. The college adheres to the same privacy standards for online students as it does for traditional students.

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History: Adopted: 11/14/95; Effective: 11/14/95; Revised: 01/09/01, 8/14/01; 08/28/12; 10/14/14

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PROCEDURE

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TITLE: Access to Student Educational Records

PAGE: 1 of 4

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AUTHORITY: District Board of Trustees

DATE: See History  
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RESPONSIBILITY: Director of Registration/Registrar

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NUMBER OF RELATED BOARD POLICY: 6HX12:9-34

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Florida Gateway College provides the following information regarding access to students' educational records.

1. Types of records maintained and information:

a. General Student Records:

1. Academic History and registration records
2. Admission Files
3. Transcripts from other Colleges
4. General Correspondence

b. Financial Aid Files: all matters concerning application for, granting and receipt of any form of financial aid

c. Accounts Receivable Records: any information regarding monies or property obligations owed to the College by a student

2. Person(s) responsible for Records

- a. General Student Records - Director of Registration/Registrar
- b. Financial Aid Records - Director of Financial Aid
- c. Accounts Receivable Records - Business Office Manager

3. Institutional Access to Records

Officials and designees of the College determined to have a legitimate educational interest, as identified by the College, have access to student records for official purposes only. The definition of school official shall be listed in the College Catalog as part of the Notification of Rights under Procedure 6Hx12:9-34

(Continued)

FERPA.

#### 4. Student Access, Review and Challenge to Records

A student may request access to his or her educational record by submitting a written request to the Registrar's Office. The Registrar's Office will make suitable arrangements for the student to review the records within thirty days of receipt of the request. The student has the right to challenge the content of any record he or she believes to be inaccurate, misleading, in violation of the student's rights, or otherwise inappropriate, and to insert into the record any written explanation on any matter therein. If the records requested are not maintained by the Registrar's Office, the student will be informed as to the correct official to whom the request should be addressed.

A student may wish to formalize a records appeal. The student should write to the College official responsible for the record, clearly identify the part of the record he or she 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. This is done by presenting a written request to the President. The President shall appoint a committee of two faculty members and one student to settle disputes between students and the institution. The President shall reply to the request within a period of fifteen calendar days after receipt of the request. In every instance the College shall make every effort to guarantee due process to the student. All procedures shall be documented by the College.

A student who conducts an unsuccessful appeal to the College, and whose records are not amended by the College, may place a statement in their education record commenting upon the information therein, and/or setting forth any reason for disagreement. Such a statement by a student shall become part of the student's record and disclosed with it.

A student who wishes to challenge a specific grade must first consult with the faculty member. If the situation is not resolved, the student may consult with the appropriate academic vice president. Final appeal shall be to the Campus Appeals Board.

#### 5. Waiver of Confidentiality

No personally identifiable information will be released to third parties without prior written consent except when prior written consent is not required by the Family Educational Rights Act. However, a student may request that his or her records be released to another individual, organization or institution. This consent to release records must be in writing, signed, dated, witnessed by a college employee or notarized, and specific as to whom the information is to be released. The College has developed a specific form for release of transcript information, which is available at the Registrar's office and from the College's web page.

## 6. Copies of Records

Copies of material in a student's record will be furnished to the student upon written or personal request. There may be a nominal charge for duplication of records materials. Florida Gateway College does not provide copies of other institutions' records or transcripts to students or forward them to other institutions.

## 7. Rights of Parents

Once a student is enrolled as a postsecondary student, parents no longer have any rights under the provisions of the Family Education and Privacy Act, unless:

- a. The student gives written consent to release information to the parent, or
- b. The parent can provide evidence to the Registrar's Office that the student is a dependent of the parent as defined by Internal Revenue Service code.

## 8. Directory Information

Directory information may be released to third parties without the consent of the student, unless the student specifies in writing to the Registrar, that he or she does not wish this information released. No directory information will be released without the student's authorization during the first ten days of a semester to allow students time to file a non-release request with the Registrar's Office. The following items are considered directory information at Florida Gateway College.

- a. student's name
- b. date and place of birth
- c. major field of study
- d. dates of attendance
- e. degrees and awards received
- f. most recent educational institution attended by the student
- g. enrollment status
- h. full or part time status
- i. county of residence
- j. participation in officially recognized activities
- k. student's photograph

## 10. Denial of Transcript Access

Student transcripts may not be released if a student owes an obligation in money or property to the College, or fails to pay the required transcript fee, if applicable.

## 11. Releasing Information on Deceased Students

The records of a deceased Florida Gateway College student or former student may be released or disclosed upon written request to the personal representative or executor of the estate (or to a spouse, a parent, the eldest surviving child, the eldest surviving sibling, or surviving descendent) or pursuant to a court order or subpoena.

The petitioner must provide the following student information, insofar as possible, in their written request:

- a. Student's name (and maiden name, if applicable)
- b. Student's social security number
- c. Student's date of birth
- d. Dates student attended Florida Gateway College
- e. Death Certificate ( a copy is acceptable)

The petitioner must provide the following personal information within their written request:

- a. Petitioner's name
- b. Petitioner's address
- c. Petitioner's telephone number
- d. Evidence that he or she is qualified to receive the records (the executor or personal representative of the estate, or a spouse, a parent, the eldest surviving child, the eldest surviving sibling, or surviving descendent)
- e. Date of request
- f. Signature

The College reserves the right to require additional information before releasing the records of a deceased student or former student.

## 12. Custodial Care

The President of the College has officially designated the Director of Registration (Registrar) as custodian of records at the College. A student desiring more information should contact that office for additional information.

13. The College will notify students of their rights under the Family Educational Rights and Privacy Act by publicizing those rights through publication in the College catalog.