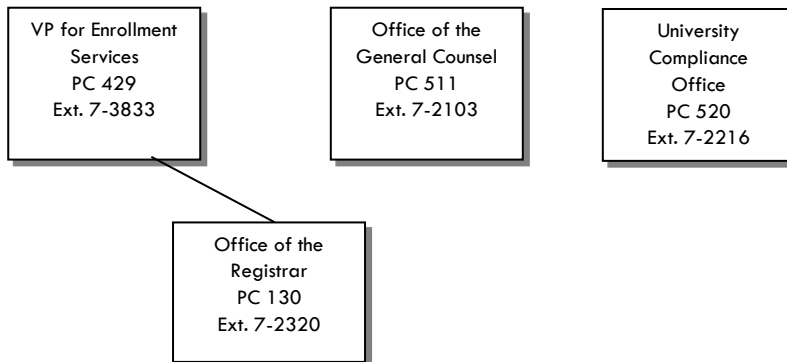


Student Education Records

I. **Abstract**

This module provides a basic overview of the University's obligations under the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232(g), as amended, ("FERPA", also known as the "Buckley Amendment") and [Section 1002.22, Florida Statutes](#). FERPA and Florida law require that the University protect the confidentiality of student education records. In addition, these laws require that the institution provide students with access to their education records and a process by which the students may request an amendment to their records.

II. **Helpful Contact Information**



III. **Rules of the Road**

1. FERPA is a federal law that applies to educational agencies and institutions that receive funding under a program administered by the U. S. Department of Education.
2. Under FERPA, institutions must generally afford students who are 18 years or older, or attending a postsecondary institution:
 - a) access to their education records
 - b) an opportunity to seek to have the records amended
 - c) some control over the disclosure of information from the records.
3. Similar rights are afforded to students under Florida law, [Section 1002.22, Florida Statutes \(2011\)](#).
4. What are institutions, including Florida International University, required to do under FERPA/Florida law?

Student Education Records

- a) provide a student with an opportunity to inspect and review his or her education records within thirty (30) days of the receipt of a request. (Please note that FERPA provides for forty-five (45) days; Florida law only allows thirty (30) days to comply with the student's request).
 - b) provide a student with copies of education records or otherwise make the records available to the student if the student, for instance, lives outside of commuting distance of the institution.
 - c) redact the names and other personally identifiable information about other students that may be included in the student's education records.
5. In order to disclose student education records an institution must:
- a) have a student's written consent prior to the disclosure; and
 - b) ensure that the consent is signed and dated and states the purpose of the disclosure.
6. However... an institution MAY disclose education records without the student's consent when:
- a) the disclosure is to institution officials who have been determined to have legitimate educational interests as set forth in the institution's annual notification of rights to students;
 - b) the student is seeking or intending to enroll in another institution;
 - c) the disclosure is to state or local educational authorities or any third party designated by a Federal or State Authority for auditing, conducting specified research, enforcing Federal or State supported education programs, or enforcing Federal laws which relate to those programs;
 - d) the disclosure is to the parents of a student who is a dependent for income tax purposes;
 - e) the disclosure is in connection with determining eligibility, amounts, and terms for financial aid or enforcing the terms and conditions of financial aid;
 - f) the disclosure is pursuant to a lawfully issued court order or subpoena; or
 - g) the information disclosed has been appropriately designated as directory information by the institution.
7. What is "directory information?"

Student Education Records

- a) FERPA defines directory information as information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. 20 U.S.C. § 1232g(a)(5)(A); 34 CFR § 99.3.
- b) At Florida International University, “directory information” includes:
1. Student’s name, local and permanent address, and telephone number(s);
 2. Date and place of birth;
 3. Student classification and major and minor fields of study;
 4. Participation in officially recognized activities and sports;
 5. Weight and height of members of athletic teams;
 6. Dates of attendance, degrees and awards received;
 7. The most recent previous educational agency or institution attended by the student; and
 8. Photographic image.
- [Regulation FIU-108, Access to Student Education Records.](#)
- c) Please note that “directory information” may not include the student’s social security number (SSN) or other student identification number.

Student Education Records

Student Education Records (FERPA)

Federal and State laws prohibit the institution from having a pattern or practice of disclosing a student's education records without the student's consent

Excepted from student education records are categories of information that the institution has designated as directory information

At FIU, directory information consists of:

Student education records (FERPA) Directory Information at FIU

(Cont'd)

Student's name, local and permanent address, and telephone numbers

Date and place of birth

Student classification and major and minor fields of study

Participation in officially recognized activities and sports

Weight and height of members of athletic teams

Dates of attendance, degrees and awards received

Most recent previous educational institution or agency attended by the student

Photographic image