

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: May 8, 2012

REGULATION TITLE:

Confidentiality of Student Records and Applicant Records

REGULATION NO.:

4.007

SUMMARY: The regulation has been amended to follow the position of the U.S. Department of Education that the records of resident physicians are not covered under student records statutes and, thus, should not be covered in this regulation. (Academic evaluations of resident physicians remain confidential under the limited access records law and regulation.)

AUTHORITY: BOG Regulation 1.001.

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Rebecca J. Holt, Senior Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: David Kratzer, Interim Vice President for Student Affairs.

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE:

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

4.007 Confidentiality of Student Records and Applicant Records.

(1) Section 1002.225, Fla. Stat., provides certain rights to students concerning their student records. Section 1006.52, Fla. Stat., makes student records and applicant records confidential and exempt from disclosure under the Public Records Law.

(2) A “student record” is any record in any medium containing information directly related to a student that is maintained by the University of Florida or by a party acting on behalf of the University. For purposes of determining if a record is a student record, the term “student” is defined as a person who is or has been in attendance at the University. Attendance shall commence upon formal enrollment for college-credit courses approved and scheduled by the University, ~~except that attendance for a resident, as defined in University of Florida Regulation 5.0761(1), shall commence upon the resident’s acceptance of his or her appointment.~~

(3) An “applicant record” is any record in any medium that is maintained by the University of Florida or by a party acting on behalf of the University that is directly related to an applicant for admission to the University who has not been in attendance at the University.

(3) The President delegates to each Vice President the responsibility for maintaining the confidentiality of all student and applicant records within the Vice President’s area of responsibility. Each Vice President may designate an individual in his or her area as the custodian of records for that area.

(4) All student records and applicant records including but not limited to academic records, counseling records, and disciplinary records are confidential except that directory

information in student records may be released without the consent of the student involved unless a student has completed a Request for Nondisclosure of Directory Information, which is available from the Office of the University Registrar, 222 Criser Hall.

(5) Directory information shall be defined as: the student's name, class and college, local and permanent addresses, listed telephone number, email address, enrollment status, most recent previous educational institution attended, dates of attendance at the University of Florida, major, degree earned, nature and place of employment at the University, honors and awards received, publication titles, participation in officially recognized or registered activities and sports, and weight and height of members of athletic teams.

(6) Information contained in student records except that data which is directory information will be open for inspection only by the student, or parents of dependent students as defined by the Internal Revenue Service, those members of the professional staff of the University with a legitimate educational interest in having access to such records (which may include normal access in legitimate administration and operations), or as otherwise provided by law. The department custodians of student records and applicant records and their designees may release information from such records only upon written and dated authorization from the student or applicant or as otherwise provided by law. Records which are created or maintained by the University Counseling and Wellness Center and Student Health Care Center and used only in connection with treatment provided to a student are available only to persons providing such treatment; provided, however, that such records can be personally reviewed by an appropriate professional of the student's choice.

(7) Counseling, disciplinary, and academic records are maintained separately.

Authority: BOG Regulation 1.001.

Law Implemented: Sections 1002.225 and 1006.52, F.S.

History--New 9-29-75, Amended 1-28-80, 8-4-80, Formerly 6C1-4.07, Amended 7-11-94, 5-1-96, 6-21-00, 1-19-03, 12-31-03, 7-19-05, 6-13-08, Formerly 6C1-4.007, Amended 3-16-10, [_____](#).