

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 12, 2010

REGULATION TITLE:
Confidentiality of Student Records and Applicant Records

REGULATION NO.:
UF-4.007

SUMMARY: The changes to the regulation update its statutory basis, add confidentiality provisions concerning applicant records, and define student status in order to determine student record status. A student's publication titles have been added to the list of directory information.

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, 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: Patricia Telles-Irvin, Vice President for Student Affairs.

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

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

~~6C1~~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.

(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.

~~(31)~~ The President delegates to each Vice President the responsibility for maintaining the confidentiality of all student and applicant records within the Vice President’s ~~his~~ area of responsibility. Each Vice President may designate an individual in his or her area as the custodian of records for that area.

~~(42)~~ 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 ~~as defined herein~~ 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.

(53) Directory information ~~shall be defined as~~~~includes:~~ 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.

(64) 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, ~~and those designated~~ 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.

~~—(5)— Each Dean or Director of each unit in the Division of Student Affairs is the official custodian of the records in his or her unit and will designate those staff members who have access to student records. The Dean or Director or the Dean or Director's designees has~~

~~responsibility for identifying those University agencies outside of the Division of Student Affairs that shall have access to the particular student records involved.~~

~~(6) — All requests for research dealing with data from records are referred to the custodian of the records involved. Such requests should be in writing and should include appropriate faculty approval. In addition, the researcher will guarantee that identifiable data about any individual will not be published or made available to others.~~

~~— (7) — Traditional requests from scholastic honor societies (e.g., Phi Eta Sigma, Alpha Lambda Delta) for membership eligibility based on grade point average shall be granted when such requests are approved by the Dean of Students or designee.~~

~~(78) Counseling, disciplinary, and academic records are maintained separately.~~

~~(9) — With the exception of placement records, student conduct records, and records required for audit purposes in the Office for Student Financial Affairs, student records in Student Affairs offices are not maintained longer than four (4) years after departure from the University unless such records reflect on the student's eligibility to return to the University.~~

~~(810) — All policies and procedures governing the maintenance and release of student records in Student Affairs offices are made public and are subject to review periodically by appropriate student, faculty, and administrative groups.~~

~~Specific Authority: BOG [Regulation 1.001](#) ~~Resolution dated January 7, 2003.~~~~

~~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](#)~~