

4  USF System  USF  USFSP  USFSM

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7 **Number:** USF2.0021  
8 **Title:** Student Records  
9 **Responsible Office:** Academic Affairs

10 **Date of Origin:** 4-19-83  
11 4-18

**Date Last Amended:** ~~11-10-15 (technical)~~ 9-4-18

**Date Last Reviewed:** ~~11-10-15~~

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13  
14 **(1) Introduction.** The policies and procedures outlined in this Regulation are designed to  
15 implement the provisions of the Family Educational Rights and Privacy Act ["FERPA," 20 U. S. C.  
16 s.1232g] and Sections 1002.225 and 1006.52, Florida Statutes pursuant to which the University of  
17 South Florida ~~System (USF System)~~ (USF) is obligated to inform students and parents of their rights  
18 to review and inspect education records, to challenge and seek to amend education records, to control  
19 disclosure of education records, and to ~~contact complain to~~ the Family Policy Compliance Office for  
20 concerns regarding (alleged violations of FERPA) or to the appropriate court for violations of privacy  
21 if applicable. ~~The USF System~~ USF has placed the responsibility for administration of this Regulation  
22 with ~~its FERPA Coordinator who is~~ the University Registrar.

23 **(2) Definitions.** The following definitions of terms apply to the construction of this  
24 Regulation:

25 (a) **Education Records.** Those ~~records which are maintained~~ records that are maintained by  
26 ~~the USF System~~ and employees/agents of USF ~~System institutions which contain information directly,~~  
27 which contain information directly related to a student. "Record," as used herein, includes any  
28 information or data recorded in any medium, including but not limited to handwriting, print,  
29 digital/electronic images, magnetic tapes and disks, film, microfilm, and microfiche. "Agents," as used  
30 herein, means any individual who, pursuant to express or implied authorization, represents and acts  
31 for ~~the USF System~~. As Education Records are not kept in one file, to the extent a student requests  
32 a review of records for amendment as contemplated by FERPA or a general request for education  
33 records, the request will be considered a request for the actual academic record maintained by the  
34 FERPA Coordinator University Registrar and provided within 45 days of request. To the extent a

35 student is requesting other general education records, those requests must detail the exact document(s)  
36 requested by date, time, or other manner to facilitate the location of the records. A general request  
37 for all education records may be returned to the requestor for specificity and costs of a search that is  
38 beyond the academic records maintained by the Registrar or other specific university office  
39 The University Registrar or other specific university office may return a general request for all education  
40 records to the requestor for specificity and costs of a search that is beyond the academic records  
41 maintained.

42 The following types of records are expressly exempt from the definition of **education records**:

43 1. Sole Possession Records. Personal record of USF ~~System~~ employees/~~agents~~  
44 ~~which agents that~~ meets the following test:

45 a. It was created by the USF ~~System~~ employee/agent as a personal memory aid; and

46 b. It is in the sole possession of the USF ~~System~~ employee/agent who created it; and

47 c. The information contained in it has never been revealed or accessible to any other person,  
48 including the student, except the USF ~~System~~ employee's/agent's "temporary substitute." "Temporary  
49 substitute," as used herein, means an individual who performs on a temporary basis the duties of the  
50 USF ~~System~~ employee/agent.

51 2. Employment Records. ~~Records which~~ Records that are used only in relation to an  
52 individual's employment by ~~the~~ USF ~~System~~. However, the following are education records rather  
53 than employment records:

54 a. Records relating to a student's employment by ~~the~~ USF ~~System~~ if the position in which the  
55 student is employed depends on his/her status as a student.

56 b. Records relating to a student's employment by ~~the~~ USF ~~System~~ if the student receives a  
57 grade or credit based on his/her performance as an employee.

58 3. Pre-attendance Records. Records relating to an individual's application for admission to  
59 ~~the~~ USF ~~System~~ prior to his/her actual attendance as an enrolled student in the program for which  
60 application was made. This includes records relating to an application for admission to one of the  
61 colleges within the USF ~~System~~ prior to the individual's actual attendance as an enrolled student in  
62 that college. (Although not considered education records, Section 1006.52, Florida Statutes does  
63 define *Applicant Records* and provides that such records are confidential and exempt from Sections  
64 119.07(1), Florida Statutes and 24(a), Art. I, Fla. Constitution.

65 4. Alumni Records. Records created and maintained on an individual as an alumnus/alumna  
66 of ~~the~~ USF ~~System~~.

67 5. Law eEnforcement Rrecords. Records created and maintained by the University Police  
68 which are used solely for law enforcement purposes, are maintained apart from education records,  
69 and are not disclosed to individuals other than law enforcement officials of the same jurisdiction;  
70 provided that, in addition, no member of the University Police shall have access to education records  
71 except where this Regulation authorizes release without the student's prior written consent.

72 6. Health rRecords. Records of the University's Student Health Services and Counseling  
73 Center which are used only for the provision of medical, psychiatric, or psychological treatment and  
74 which are kept separate from education records.

75 (b) Personal Identifier. Any data or information that relates a record to an individual. This  
76 includes the individual's name, the name of the individual's parents, or other family members, the  
77 individual's address, the individual's social security number or official University ID and any other  
78 number or symbol which identifies the individual, a list of the individual's personal characteristics, or  
79 any other information which would make the individual's identity known and can be used to label a  
80 record as the individual's record as determined by the USF-System.

81 (c) Student. An individual who is registered for an on-or-off campus (including on-line  
82 courses) program leading to the award of academic credit or degree from USF-System-institutions.  
83 "Student" does not include individuals participating in the Common Learning Network, Language  
84 Institute, Gifted programs, Speech and Hearing Clinics, or non-credit Continuing Education programs  
85 and athletic camps with participation not exclusive to persons enrolled or registered to attend USF.  
86 ~~non-credit Continuing Education programs or USF Health degree students who are not attending as~~  
87 ~~an enrollee.~~

88 (d) USF: Refers to the University of South Florida both as one entity and to the extent there  
89 are distinct institutions or campuses it includes those entities.

90 (e) USF or University Registrar: The administrator serving as record custodian for USF for  
91 FERPA purposes and that administrator's designee(s). The term "University" or Office of the  
92 Registrar may be used to refer to this administrative office in this Regulation

93 **(3) Annual Notification.**

94 (a) ~~Each USF System-campus/institution~~ will email student's each Fall and Spring semester in  
95 addition to publishing annually in the graduate and undergraduate catalogs a notice of student rights  
96 under FERPA and Sections 1002.225 and 1006.52, Florida Statutes.

97 (b) The notice will include, but not be limited to, the following:

98 1. The right of the student to inspect and review ~~his~~the student's own/her education records.

99 2. The intent of ~~the~~ USF ~~System~~ to limit the disclosure of information contained in a student's  
100 education records to the following circumstances:

101 a. With the student's prior written consent; or

102 b. ~~As an item of d~~Directory information which the student has not refused to permit ~~the~~ USF  
103 ~~System~~ to disclose; or,

104 c. Under the FERPA and Florida Statutes, provisions which allow the USF ~~System~~ to disclose  
105 information without the student's prior written consent.

106 3. The right of a student to request ~~that~~~~the~~ USF ~~System~~ ~~to~~ amend any part of ~~his/her~~~~the~~  
107 ~~student's~~ education record which ~~he/she~~~~the student~~ believes to be inaccurate, misleading, or in  
108 violation of ~~his/her~~~~the student's~~ privacy or other rights; and, should the student's request be denied,  
109 the right of the student to a hearing to present evidence that the record is inaccurate, misleading, or  
110 in violation of ~~his/~~~~the student's own~~~~her~~ privacy or other rights.

111 4. The right to report violations of FERPA to the Family Policy Compliance Office of the  
112 U.S. Department of Education, and to bring an action in Florida Circuit Court for violations of Section  
113 1002.225, Florida Statutes.

114 5. The locations where copies of this Regulation are available to students.

115 **(4) Locations Of of Student Records**. Student confidential information ~~may be~~~~are~~  
116 maintained throughout ~~the~~ USF ~~System~~ and there is no prerequisite for information to be maintained  
117 in a specific place for it to be considered a student record. However, ~~as a general practice~~~~practice,~~  
118 ~~records are maintained in the following areas and~~ requests should be submitted to or forwarded for  
119 ~~processing to the attention of~~ ~~accordingly, in care of the~~ University Registrar who is located  
120 ~~on the Tampa Campus. A :~~ ~~(Note: A- The Student is responsible for identifying those records to be~~  
121 ~~reviewed. The~~ University Registrar or designee will confirm receipt of request and  
122 ~~coordinate a~~ ~~including the date, time and specific location for review of the records.~~ ~~custodian of~~  
123 ~~the records.~~

124 ~~(In the event the campus/institution does not have a separate office for each function as indicated,~~  
125 ~~contact the campus/institution Registrar for assistance in determining the specific record custodian.)~~  
126 ~~Admission records and cumulative academic records are located in the University document~~  
127 ~~management system.~~

128 ~~(a) Admission records are maintained until scanned at each campus/institution within the USF~~  
129 ~~System. The custodians for such records are the Directors of Admissions.~~

130           ~~(b) Cumulative academic records are located in the Office of the Registrar or equivalent office~~  
131 ~~at each campus/institution within the USF System. The custodian for such records is the University~~  
132 ~~Registrar or equivalent individual at each USF System institution.~~

133           ~~(c) Medical records are located within the Student Health Services offices at each~~  
134 ~~campus/institution within the USF System and the custodian for such records is the Director, Student~~  
135 ~~Health Services.~~

136           ~~(d) Psychological/Psychiatric counseling records are located in the Counseling Center at each~~  
137 ~~campus/institution within the USF System and the custodian for such records is the Director,~~  
138 ~~Counseling Center.~~

139           ~~(e) Student employment records are located in the Division of Human Resources at each~~  
140 ~~campus/institution within the USF System. The custodian for such records is the Director, Division~~  
141 ~~of Human Resources.~~

142           ~~(f) Financial aid records are located in the University document management system. Paper~~  
143 ~~records are maintained until scanned at each campus/institution; electronic records are maintained~~  
144 ~~indefinitely in the University document management system. The custodian for such records is the~~  
145 ~~Director, University Scholarships & Financial Aid Services, SVC 1102, 4202 Fowler Avenue, Tampa,~~  
146 ~~Florida 33620.~~

147           ~~(g) Financial records are located in the Division of Finance and Accounting at each~~  
148 ~~campus/institution within the USF System. Electronic records are maintained in the document~~  
149 ~~management system.~~

150           ~~(h) Cooperative education and placement records are located in the Career Resource Center at~~  
151 ~~each campus/institution within the USF System and the custodian for such records is the Director,~~  
152 ~~Career Development Services.~~

153           ~~(i) College records are located in the college dean's office and/or departmental offices of each~~  
154 ~~college or department and in the faculty offices at each college or department and the custodian for~~  
155 ~~such records is the appropriate dean, department chairperson, professor, instructor or lecturer.~~

156           ~~(j) Disciplinary records are located in the Office of Student Affairs at each campus/institution~~  
157 ~~within the USF System and the custodian for such records is the Associate Vice President for Student~~  
158 ~~Affairs and Dean of Students.~~

159           ~~(k) Continuing Education records are located in the Office of the Registrar at each~~  
160 ~~campus/institution within the USF System and the custodian for such records is the University~~  
161 ~~Registrar.~~

162 (l) ~~All records relating to students enrolled in the University's College of Medicine are located~~  
163 ~~in the appropriate College of Medicine office, and the custodian for such records is the Office of~~  
164 ~~Student Affairs, College of Medicine, University of South Florida, MDC 54, 12901 Bruce B. Downs,~~  
165 ~~Tampa, Florida 33612.~~

166 (m) ~~Records relating to students previously enrolled in the New College program of the~~  
167 ~~University of South Florida are now located at New College of Florida, Office of Records &~~  
168 ~~Registration, 5800 Bay Shore Road, PMD 115, Sarasota, Florida 34243-2109.~~

169 (n) ~~Occasional records, student education records not included in the types or systems listed~~  
170 ~~above, such as copies of correspondence in offices not listed must be directed to the appropriate~~  
171 ~~custodial office who will make them available for inspection or the records may be sent by the specific~~  
172 ~~offices to, etc., the FERPA Coordinator will collect such records, direct the student to their location,~~  
173 ~~or otherwise make them available for inspection and review.~~

174 **(5) Procedure ~~To~~ Inspect Education Records.**

175 (a) Students who wish to inspect and review their education records should submit a written  
176 request to the ~~appropriate record custodian or to the FERPA Coordinator~~~~University~~~~University~~  
177 ~~Registrar. The University will make available the official Registrar Academic records student's official~~  
178 ~~academic record, housed in the Office of the Registrar, as well as those records specifically identified~~  
179 ~~by date, time, subject and university office~~~~in the written request. \_\_\_\_\_ custodian. Accordingly,~~  
180 ~~the~~~~The Educational Records not subject to amendment are records created by the student such as~~  
181 ~~student emails or other general communications and records created not as part of a course, academic~~  
182 ~~program or other registration record. The University may not have an ability to locate the records~~  
183 ~~without specific parameters including date, topic, location or other defining characteristic and costs~~  
184 ~~may be incurred for records outside of the official academic record. \_\_\_\_\_ request should identify as~~  
185 ~~accurately as possible the specific records the student wishes to inspect and review. It may identify~~  
186 ~~records according to the types listed in subsection (4) of this Regulation, as records located at specific~~  
187 ~~places, or as records under the custodianship of specific USF ~~System~~ employees/agents identified by~~  
188 ~~title. Records listed in this Regulation as "occasional records" should be identified in terms which will~~  
189 ~~make it possible for the FERPA Coordinator to locate them and make them available for the student~~  
190 ~~to inspect and review.~~

191 (b) The ~~FERPA Coordinator or the record custodian~~~~University Registrar or designee(s)~~ shall  
192 ~~either permit the student to immediately inspect and review his/her education records or~~ advise the  
193 student when and where the records will be available for inspection and review. Access to education  
194 records requested in compliance with this ~~Regulation~~~~regulation~~ shall be granted within a reasonable  
195 period of time, but in no case more than ~~thirty~~~~forty-five~~ (45~~30~~) calendar days after the ~~FERPA~~  
196 ~~Coordinator or the record custodian~~~~University Registrar~~ receives the student's written request. The

197 ~~FERPA Coordinator or the record custodian~~ University Registrar or ~~his/her~~ designee shall ~~have the~~  
198 ~~right to~~ be present while the student inspects and reviews the records. ~~Upon reasonable request, USF~~  
199 ~~System institutions shall furnish the student with an explanation or interpretation of his/her record.~~

200 (c) ~~A determination by the FERPA coordinator~~ University Registrar or designee ~~that (1) a sa~~  
201 ~~Student made a Upon~~ reasonable request and ~~(2) demonstrated~~ to the FERPA  
202 ~~Coordinator~~ University Registrar or designee that the failure to provide the student with copies of the  
203 requested education records will effectively deny the student the right to inspect and review such  
204 records ~~is a prerequisite to providing, USF System institutions will arrange for the student to obtain~~  
205 ~~copies of such records. In most cases, copies will be provided, simply provided for inspection only.~~  
206 ~~In the event that the student has an unpaid financial obligation to a USF System institution, he/she~~  
207 ~~shall not be entitled to transcripts or copies of education records.~~

208 (d) When records contain personally identifiable information about more than one student, a  
209 student may inspect only that information which relates to ~~him/her~~ the individual student.

210 (e) The USF ~~System~~ reserves the right to refuse to permit a student to inspect and review the  
211 following education records:

- 212 1. The financial records of the parents of the student or any information contained therein.
- 213 2. Statements and letters of recommendation prepared by University officials or submitted  
214 with the student's application for admission which were placed in the student's records before January  
215 1, 1975 or for which the student has waived his/her right of access in writing; provided, however, that  
216 if such statements and letters of recommendation have been used for any purpose other than that for  
217 which they were originally prepared, the student may inspect and review them.
- 218 3. Those ~~records which~~ records that are excluded from the definition of "education records"  
219 under this Regulation.

220 ~~(6) Copies Of Education Records. Generally, students may review records at the time and~~  
221 ~~place designated by the USF System. Providing copies of Education Records is a discretionary~~  
222 ~~decision on the part of the USF System except as provided below. Transcripts are only provided by~~  
223 ~~official request after payment of specified cost.~~

224 ~~If copies are to be provided the following fees may be charged:~~

225 (a) Fees: ~~The Institutions within the USF System will charge the following fees for copies of~~  
226 ~~education records:~~

- 227 1. ~~Transcripts: Official transcripts \$10.00 (or as set by current USF System Policy or~~  
228 ~~Regulation.) The USF Morsani College of Medicine does not charge a fee for this service. The USF~~

229 ~~System reserves the right to deny transcripts or copies of records not required by FERPA in any of~~  
230 ~~the following situations:~~

- 231 ~~a. The student has an unpaid financial obligation to the USF System.~~
- 232 ~~b. There is an unresolved disciplinary action against the student.~~
- 233 ~~c. There is an unresolved litigation between the student and the USF System.~~

234  
235 ~~2. Copies of general education records (not certified or official transcripts):~~

236 ~~a. Fees: The fee charged for FERPA-required copies of education records or those records~~  
237 ~~provided at the discretion of the USF System shall be the amount permitted by statute. Extensive~~  
238 ~~search for records may involve additional costs for search and retrieval. When administrative costs of~~  
239 ~~collecting fees exceed the copying amount, the FERPA Coordinator shall be authorized to waive or~~  
240 ~~charge such fees.~~

241 ~~b. Required Copies: Copies of education records are required by FERPA under the following~~  
242 ~~circumstances:~~

243 ~~1) Failure to provide such copies would effectively deny the student the right to inspect and~~  
244 ~~review his/her records; or~~

245 ~~2) The USF System has disclosed information from the student's education records under~~  
246 ~~authority of the student's prior written consent and the student requests a copy of the information~~  
247 ~~disclosed; or~~

248 ~~3) The student requests copies of records the USF System has disclosed to other schools~~  
249 ~~where the student seeks or intends to enroll.~~

250 **(7) Directory Information.**

251 (a) Designation of directory information. ~~The USF System~~ hereby designates the following  
252 described personally identifiable information contained in a student's education record as "directory  
253 information" in order that ~~the USF System~~ may, at its discretion, disclose the information without a  
254 student's further prior written consent:

- 255 1. The student's name.
- 256 ~~2. The student's local and permanent addresses.~~
- 257 ~~3. The student's local and permanent telephone listing.~~
- 258 ~~4. Date and Place of Birth.~~
- 259 ~~5.~~ 5. The student's classification and major field of study.
- 260 ~~6.~~ 6. The student's participation in officially recognized activities and sports.



261 47. The weight and height of members of athletic teams.

262 58. The student's dates of attendance, part-time or full-time status, and degrees and awards  
263 received, ~~and most recent previous educational agency or institution attended.~~

264 69. The student's photographic image independent of any additional personal identifiers.

265 407. Other similar information as identified by ~~the~~ USF System as appropriate and defined in  
266 the notice described in (b) below.

267 ~~(b) Publication of Directory Including Student Directory Information: The USF System~~  
268 ~~proposes to publish for each academic year a University Directory which will contain certain items of~~  
269 ~~directory information with respect to students who are registered during the Fall Semester of such~~  
270 ~~academic year. A student may request to be excluded from this published University Directory by~~  
271 ~~completing the request for privacy as described below.~~

272 ~~(be)~~ Release of Specific Directory Information: ~~The~~ USF System may release directory  
273 information upon specific request unless a student completes the Request for Privacy as set forth  
274 below.

275 ~~(dc)~~ Request for Privacy-General Directory Information: Students have the right to request  
276 Privacy to prevent the disclosure of "directory information," "either in the Directory or upon request.  
277 ~~The~~ USF System will publish in the ~~Schedule of Classes or~~ Graduate and Undergraduate Catalogs ~~for~~  
278 ~~each academic term the above list, or a revised list, of~~ the items of information it proposes to designate  
279 as "directory information." Students must notify the ~~FERPA Coordinator~~ Office of the Registrar in  
280 writing if they refuse to permit the University to:

281 1. Include their information and other designated elements in ~~the online~~ published student  
282 directory.

283 2. Release directory information about themselves to any third party.

284 Such notification must be received by the ~~FERPA Coordinator~~ Office of the Registrar no later than  
285 the end of the second week of classes of the academic term or the student will be deemed to have  
286 waived his/her right of refusal until the next academic term. When the ~~FERPA Coordinator~~ Office  
287 of the Registrar receives a student's refusal to permit the University to disclose "directory information"  
288 about that student, the ~~FERPA Coordinator~~ Office of the Registrar will ~~notify the appropriate records~~  
289 ~~eustodians of the student's action~~ place the appropriate notation on the student's record. ~~The records~~  
290 ~~eustodians~~ USF personal and agents acting on their behalf will not make any further disclosures of  
291 directory information about that student without the student's prior written consent except to the  
292 extent authorized by FERPA and Florida Statutes. Students registering during the Fall Semester will

293 receive notification of their “privacy” rights under FERPA. Students must either notify the [FERPA](#)  
294 [Coordinator/Office of the Registrar](#) in writing or update their individual privacy status ~~at~~  
295 <https://www.registrar.usf.edu/privacy/through-the-Office-of-the-Registrar> to prevent disclosure or  
296 publication of directory information in the [University-USF](#) Directory; such notification must be  
297 received by the [FERPA Coordinator/Office of the Registrar](#) no later than the end of the second week  
298 of classes ~~of the Fall Semester~~ or the students will be deemed to have waived ~~his/her~~[their](#) right of  
299 refusal with respect to the [University-USF](#) Directory until ~~Semester One~~[the students request additional](#)  
300 [privacy in writing](#). ~~of the next academic year.~~ ~~The~~ USF ~~System~~ will not release information contained  
301 in a student's education records, except directory information, to any third parties except its own  
302 officials, unless those third parties agree that they will not re-disclose the information without the  
303 student's prior written consent. In addition, section (8)(g) below sets forth the terms of the FERPA  
304 Waiver Request Form which authorizes the release of non-directory information to designated  
305 individuals. As the University requires educational records to be reviewed at the University, the  
306 University does not provide copies of a student's educational records to a student or third party  
307 requestor except as provided by law.

308 ~~(d)~~e. Requests for directory information.

309 1. All requests for directory information about students should be referred to the [FERPA](#)  
310 [Coordinator/Office of the Registrar](#). To the extent the request is submitted as a public records request,  
311 it will be processed pursuant to Policy 0-106 and the requestor will elect to pay the established fixed  
312 approved cost posted on the Office of the Registrar's website or the actual cost of production pursuant  
313 to Policy 0-106.

314 2. Public records request for student directory information will be processed with approximate  
315 charges for costs of production unless the requestor chooses to accept the predetermined estimate for  
316 data production established by the ~~Office of the Registrar's Office~~.

317 (e) In keeping with the Solomon Amendment, the University will provide student recruiting  
318 information, which is different from directory information, upon request by a branch of the U.S.  
319 Department of Defense; requests per branch are limited to one per academic term. The following  
320 enrolled student information may be released upon request in keeping the Solomon Amendment:  
321 student name, addresses, phone listings, age or year of birth, place of birth, level of education or  
322 degrees received, and academic major. Students who request that their directory information be  
323 withheld from third parties are excluded from Solomon Amendment requests fulfilled after the  
324 student's privacy request is processed.

325 (8) Student Contact List. ~~USF publishes an internal, password-protected student contact list~~  
326 ~~online that contains the following items: Name, USF e-mail address, institutional affiliations (major,~~  
327 ~~work-study location), college, campus, campus phone and campus mailstop. This online Contact List~~  
328 ~~is available to any member of the University community with an active Net ID. A student may request~~  
329 ~~to be excluded from this published Contact List as well as any Directory Information release by~~  
330 ~~completing the request for privacy as described below:~~ ~~USF publishes an internal, password-protected~~  
331 ~~student contact list online that contains the following items: Name, USF e-mail address, institutional~~  
332 ~~affiliations (major, work-study location), college, campus, campus phone and campus mailstop. This~~  
333 ~~online directory is available to any member of the University community with an active Net ID. A~~  
334 ~~student may request to be excluded from this published University Directory by completing the~~  
335 ~~request for privacy as described below.~~

336  
337 **(89) Use of Education Records:** All custodians of a student's education records and other  
338 University employees/agents will follow a strict policy that information contained in a student's  
339 education record is confidential and may not be disclosed to third parties without the student's prior  
340 written consent except as otherwise provided in this section.

341 (a) University officials shall have access to student education records for legitimate educational  
342 purposes.

343 1. "University official," as used herein, means:

344 a. A person currently serving as a member of the Florida Board of Governors or USF Board  
345 of Trustees.

346 b. A person under contract to the Florida Board of Governors/USF Board of Trustees/USF  
347 ~~System~~ or the Florida Department of Education in any faculty or staff position at in the ~~USF System.~~

348 c. A person employed by the USF Board of Trustees as a temporary substitute for a staff  
349 member or faculty member in at the ~~USF System~~ for the period of his/her performance as a substitute.

350 d. A person employed by the USF Board of Trustees or under contract to the USF Board of  
351 Trustees to perform a special administrative task for the ~~USF System~~. Such persons may be employed  
352 as secretaries, clerks, attorneys, auditors, and consultants. They shall be considered ~~to be~~ University  
353 officials for the period of their performance as an employee or contractor.

354 e. A person who is designated by a University official by way of written agreement that  
355 incorporates all FERPA and state law privacy obligations and who is performing a specific function  
356 considered a function that serves a legitimate educational interest on behalf of the University.

357 2. "Legitimate educational purpose," as used herein, means a University official's need to  
358 know in order to:

- 359 a. Perform an administrative task outlined in the official's position description or contract; or
- 360 b. Perform a supervisory or instructional task directly related to the student's education; or
- 361 c. Perform a service or benefit for the student such as health care, counseling, student job  
362 placement, or student financial aid.

363 (b) Under the following circumstances, University officials may make disclosures of personally  
364 identifiable information contained in the student's education records without the student's consent:

365 1. To another college or university where the student seeks or intends to enroll providing that  
366 the student is notified of this disclosure.

367 2. To certain federal and state officials who require information in order to audit or enforce  
368 legal conditions related to USF ~~System~~ programs supported by federal or state funds.

369 3. To parties who provide or may provide financial aid to the student in order to:

- 370 a. Establish the student's eligibility for the financial aid;
- 371 b. Determine the amount of financial aid;
- 372 c. Establish the conditions for the receipt of the financial aid; or
- 373 d. Enforce the terms of the agreement between the provider and the receiver of the financial  
374 aid.

375 4. To state or local officials in compliance with state law adopted prior to ~~November 19,~~  
376 1974 FERPA being enacted.

377 5. To an individual or organization under written agreement or contract with the University  
378 of South Florida ~~System~~, USF Board of Trustees, or the Florida Board of Governors for the purpose  
379 of conducting a study on ~~the~~ USF ~~System's~~ behalf for the development of tests, the administration of  
380 student aid, or the improvement of instruction.

381 6. To accrediting organizations to carry out their accrediting functions.

382 7. To parents of a student if the parents claim the student as a dependent under the Internal  
383 Revenue Code of 1954. The USF ~~System~~ will exercise this option only on the condition that evidence  
384 of such dependency is furnished to the FERPA Coordinator/Office of the Registrar by the parents  
385 executing an Affidavit of Dependency; the most recent tax transcript listing the dependent is  
386 commonly required and other documentation may be requested as needed.

387 8. To comply with a lawfully issued subpoena or judicial order of a court of competent  
388 jurisdiction. ~~The USF System~~ will make a reasonable effort to notify the student before it makes a  
389 disclosure under this provision.

390 9. The result of a disciplinary proceeding may be released to the victim of the student's crime  
391 of violence.

392 10. All requests for disclosure under the nine (9) circumstances listed above, where ~~the USF~~  
393 ~~System~~ may disclose personally identifiable information without the student's prior consent to third  
394 parties other than its own officials, will be referred to the ~~FERPA Coordinator or appropriate records~~  
395 ~~custodian~~ University Registrar or designee.

396 (c) University officials are authorized to make necessary disclosures from student education  
397 records, without the student's prior consent pursuant to Policy 30-020 and/or in a health or safety  
398 emergency if the University official deems:

399 1. The disclosure to be warranted by the seriousness of the threat to the health or safety of  
400 the student or other persons; and

401 2. The information disclosed is necessary and needed to meet the emergency; and

402 3. The persons to whom the information is disclosed are qualified and in a position to deal  
403 with the emergency; and

404 4. Time is an important and limiting factor in dealing with the emergency.

405 (d) University officials may not disclose personally identifiable information that is contained in  
406 a student's education record, except directory information or under the circumstances listed above,  
407 except with the student's prior written consent. The written consent must include the following:

408 1. A specification of the information the student consents to be disclosed;

409 2. The person or organization or the class of persons or organizations to whom the disclosure  
410 may be made; and

411 3. The date of the consent.

412 (e) The student may obtain a copy of any records ~~the USF System discloses-releases to a third~~  
413 ~~party~~ pursuant to the student's prior written consent.

414 (f) ~~The USF System~~ will not release information contained in a student's education records,  
415 except directory information, to any third parties except its own officials, unless those third parties  
416 agree that they will not re-disclose the information without the student's prior written consent.

417 (g) ~~The USF System~~ may ~~disclose allow a third party access to a student record if the student~~  
418 ~~has executed a release any and all academic information to individuals known and designated by the~~

419 ~~student to receive his/her~~ the student's information upon the student duly executing a FERPA Waiver  
420 Request Form authorizing ~~the~~ USF ~~System~~ to disclose the ~~student's~~ information to those whom the  
421 student has authorized. The FERPA Waiver will remain in effect ~~while the student is actively enrolled~~  
422 ~~in the USF System or~~ until such authorization is revoked.

423 **(910) Records Of Requests For Access And Disclosures Made From Education**  
424 **Records.**

425 (a) ~~The FERPA Coordinator~~ University Registrar or designee ~~or appropriate records custodian~~  
426 will approve or disapprove ~~any~~ all such requests for access and disclosures and, except for requests for  
427 directory information, he/she will maintain a record of these actions. Except no record of disclosures  
428 will be required if the requests are made by

429 ~~All requests for disclosures of information contained in a student's education record or for~~  
430 ~~access to the record made by persons other than (1) University officials~~ with legitimate educational  
431 interest (2) or the student or (3) in conjunction ~~conjunction with a~~ those requests accompanied by the  
432 student's prior written consent, ~~will be submitted to the FERPA Coordinator or appropriate records~~  
433 ~~custodian. The FERPA Coordinator or appropriate records custodian will approve or disapprove all~~  
434 ~~such requests for access and disclosures and, except for requests for directory information, he/she~~  
435 ~~will maintain a record of these actions.~~

436 (b) This record of requests/disclosures shall include the following information:  
437 1. The name of the person or agency that made the request.  
438 2. The interest the person or agency had in the information.  
439 3. The date the person or agency made the request.  
440 4. Whether the request was granted and, if it was, the date access was permitted or the  
441 disclosure was made.

442 (c) ~~The~~ USF ~~System~~ will maintain this record of requests/disclosures as long as it maintains  
443 the student's education record.

444 **(4011) Procedures To Request Amendment Of And Challenge Education Records.**

445 (a) Students have the right to, in accordance with this ~~Regulation~~ regulation, request  
446 amendment of and challenge the content of their education records if there was ~~discretionary~~  
447 discrepancy made in creating the record (records of transitory emails, general correspondence, or the  
448 memorialization of factual events are not subject to review or amendment).

449 (b) Definitions.

450 1. The term "incorrect" is used herein to describe a record that is inaccurate, ~~false~~, misleading,  
451 or in violation of the privacy or other rights of students. A record is not "incorrect," for purposes of  
452 this ~~Regulation~~regulation, where the requestor wishes to challenge the evaluation reflected by the grade  
453 an instructor assigns for a course.

454 2. The term "requestor" is used herein to describe a student or former student who is  
455 requesting ~~that the~~ USF ~~System~~ to amend a record.

456 (c) Students who believe that their education records contain ~~information which is~~  
457 ~~incorrect~~information that is incorrect should informally discuss the problem with the ~~record~~  
458 ~~custodian~~University Registrar or designee. If the record custodian finds the information is incorrect  
459 because of an obvious error, and it is a simple matter to amend it to the satisfaction of the requestor,  
460 the record custodian may make the amendment.

461 (d) If the record custodian cannot amend the record to the requestor's satisfaction or if the  
462 record does not appear to be obviously incorrect, the record custodian will:

463 ~~1. Provide the requestor a copy of the questioned record at no cost; and~~

464 ~~2. Ask the requestor to initiate and provide the record custodian a written request for the~~  
465 amendment; such written request must identify the information which the requestor believes is  
466 incorrect, must state why such information is incorrect, and must be dated and signed by the requestor.

467 (e) The ~~record custodian~~University Registrar or designee will ~~vet the request with the custodian~~  
468 ~~of record. The record custodian upon reviewing the request will provide the University Registrar~~  
469 ~~send the request, together with~~ a written explanation of ~~his/her~~ refusal to amend the record to the  
470 requestor's satisfaction, ~~to the FERPA Coordinator~~. The ~~FERPA Coordinator~~University Registrar  
471 will examine the ~~request~~request; discuss it with appropriate USF ~~System~~ officials, including the person  
472 who initiated the record, ~~the~~ USF ~~System~~ General Counsel, and other persons who might have an  
473 interest in the questioned record. At the conclusion of this investigation, the ~~FERPA~~  
474 ~~Coordinator~~University Registrar will summarize ~~his/her~~ findings, make a recommendation for USF's  
475 ~~System's~~ action, and deliver the request, the record custodian's written explanation, ~~his/her~~the  
476 summary of findings, and ~~his/her~~ recommendation to the USF ~~System President (President)~~  
477 ~~(references to the President or include designee)~~.

478 (f) The President ~~or designee~~ will instruct the ~~FERPA Coordinator~~University Registrar  
479 whether the record should or should not be amended in accordance with the request. If the President's  
480 decision is to amend the record, the ~~FERPA Coordinator~~University Registrar will advise the record

481 custodian to make the amendment. The record custodian will advise the requestor in writing when  
482 he/she has amended the record and invite the requestor to inspect the record.

483 (g) If the President's decision is that the record is correct and should not be amended, the  
484 ~~FERPA Coordinator~~ University Registrar will prepare and send the requestor a letter stating the  
485 decision. Parents and eligible students who need assistance or who wish to file a complaint under  
486 FERPA ~~or the Protection of Pupil Rights Amendment (PPRA)~~ should do so in writing to the Family  
487 Policy Compliance Office, sending pertinent information through the mail, concerning any allegations  
488 to the following address: Family Policy Compliance Office; U.S. Department of Education; 400  
489 Maryland Avenue, SW; Washington, D.C. 20202-5920; Phone: 1-800-USA-LEARN (1-800-872-5327).

490 (h) In the event the education records are not amended to the requestor's satisfaction, the  
491 requestor shall have the right to place with the education records a written statement explaining,  
492 commenting upon, or disagreeing with information contained in the education records. This  
493 statement shall be maintained as part of the student's education record for as long as ~~the~~ USF  
494 ~~System~~ System maintains the questioned part of the record. Whenever the questioned part of the  
495 record is disclosed, the student's written statement shall also be disclosed.

496 **(412) Right Of to Waiver Of of Access.** ~~The~~ USF ~~System~~ may request a waiver of access  
497 to evaluations and letters of recommendation related to admissions, employment applications and  
498 receipt of honors. While such a waiver may be requested, requests for waivers do not constitute a  
499 pre-condition for admission, financial aid, or any services or benefits. Upon request, students who  
500 have waived access to such items can receive a listing of all individuals providing confidential  
501 recommendations or evaluations.

502  
503 *Authority: Art. IX, Sec. 7, Fla. Constitution; Fla. Board of Governors Regulation 1.001; 1002.225, 1006.52 FS.*

504 *History—New (BOT approval) 4-19-83, Formerly 6C4-2.021, F.A.C., Amended 3-15-92, 1-7-93, Formerly 6C4-*  
505 *2.0021, F.A.C., Amended 10-3-12 (Technical), Amended 11-10-15 (Technical), 9-4-18-*

506 *Certification: USF certifies that it has followed the Florida Board of Governors Regulation Development Procedure and*  
507 *has a record of written notices, comments, summaries and responses as required.*

508