



FERPA Annual Notification to Students

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.) These rights include:

1. The right to inspect and review the student's education records within 45 days after The College of the Florida Keys (CFK) receives a request for access. A student should submit to the appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

The student records maintained by the College are classified as follows:

- A. Official Academic Records are maintained in the Office of Enrollment Management. These records consist of, but are not limited to the following documents:
 - Admissions and/or Readmit Applications.
 - High School Transcripts (if applicable), College Transcripts (if applicable), Placement Test Scores (if applicable).
 - Change of Curriculum Forms, Change of Name and Address Forms, Change of Grade Forms.
 - Transfer Credit Evaluations (if applicable); and
 - General Admissions and Registrar Services Correspondence.
- B. Disciplinary Records are maintained under the authority of the Vice President of Advancement. They include information about the investigation, adjudication, and imposition of sanctions by the College against a student for breach of the College's code of student conduct or other written policies.
- C. Financial Records are maintained by the Business Office. Financial aid application records, including tax forms, are maintained by the Financial Aid Office.
- D. Employment Records of students receiving financial aid consist of work-study

authorizations and are maintained by the Financial Aid Office. Non-workstudy employment records of students are maintained by the Office of Talent Acquisition, Development and Accountability.

- E. Medical Records are maintained by the Office of Student Success Services for students who have disclosed a disability and have provided the College with appropriate documentation. This documentation may include medical, learning, or psychiatric evaluations. All documentation provided to Office of Student Success Services will remain strictly confidential. No information, except as provided by law, will be released to anyone, including parents without the student's written consent.
 - F. Employment Records of students who are CFK employees but whose employment is not related to their academic status and not a part of student financial aid are maintained by the Office of Talent Acquisition, Development and Accountability, but are not directly affected by the provision of these guidelines.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Please refer to college procedure 78.10.

A student who wishes to ask CFK to amend a record should write to the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If CFK decides not to amend the record as requested, CFK will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before CFK discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. Please refer to college procedure 78.10.

CFK discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is typically includes a person employed by CFK in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of CFK who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing

his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for CFK.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by CFK to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. CFK will disclose "directory information" from a student's education records unless a confidential hold has been placed upon release of the information by the student. The College will disclose information from a student's educational records only with written consent of the student, records may be disclosed without consent when the disclosure is:

- A. To school officials who have a legitimate educational interest in the records.

- I. A school official is:

- a) A person employed by the College in an administrative, supervisory, academic or research, or support staff position.
 - b) A person elected to the Board of Trustees.
 - c) A person employed by or under contract to the College to perform a special task, such as an attorney or auditor.
 - d) A person who is employed by The College
 - e) A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his or her tasks.

- B. To officials of another school, upon request, in which a student seeks or intends to enroll. The student shall receive notification of the disclosure unless the student initiated the disclosure.

- C. Subject to the conditions set forth in 34 CFR 99.35 authorized representatives of the Comptroller General of the United States, the Secretary of the U.S. Department of Education, authorized representatives of the attorney general for law enforcement purposes (investigation or enforcement of federal legal requirements of federally supported education programs), or state and local educational authorities.

- D. School officials or lending institutions, in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- I. determine eligibility for the aid.
 - II. determine the amount of the aid.
 - III. determine the conditions for the aid; or
 - IV. enforce the terms and conditions of the aid.

- IV. enforce the terms and conditions of the aid.

- E. State and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to state statute.

- F. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents

by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.

G. Accrediting organizations in order to carry out their accrediting functions.

H. Parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1954. The parent must provide a copy of their most recent federal income tax return establishing the student's dependency. Full rights under the act shall be given to either parent, unless the institution has been provided with evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes those rights. THE COLLEGE does not have an obligation to disclose any financial information about one parent to another. If a parent claims a student as a dependent and does not want his/her financial information disclosed to his/her spouse or former spouse, the parent may make that request to the institution.

I. In connection with an emergency, appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or others.

J. To comply with a judicial order or lawfully issued subpoena, provided the College makes a reasonable effort to notify the student of the order or subpoena in advance of compliance. Notification may be prohibited if the College receives a federal grand jury subpoena or any other subpoena which states that the student should not be notified. The Office of Talent Acquisition, Development and Accountability shall be consulted prior to release of the record. See below for further details on the College's policy in dealing with subpoenas.

K. To Veterans Administration Officials pursuant to 38 USC 3690 (c).

L. Information the College has designated as "directory information," unless a hold has been placed upon release of the information by the student.

I. The following data is considered to be directory information and may be given to an inquirer, either in person, by mail or by telephone, and may be otherwise made public: name of student.

II. This information will be made available and communicated to presently enrolled students through the college publications. An individual student currently enrolled may request that such directory information not be disclosed by completing the nondisclosure form, which is available electronically and in paper form, and submitting the form to the Enrollment Management Department. Former students who do not want directory information disclosed should make such a request in writing to the Executive Director of Enrollment Management.

M. To the court those records that are necessary to defend the institution when a student initiates legal action against the institution.

I. Personal information shall be transferred to a third party only on the condition that such a party will not permit any other party to have access to such information without the written consent of the student. In all instances where written consent is required, written consent must specify the records that may be disclosed, state the purpose of the disclosure, and identify the parties or class of parties to whom disclosure may be made.