

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: September 28, 2006

REGULATION TITLE AND NUMBER: Access to Student Records (4.008).

SUMMARY: This regulation amendment updates and amends what is considered Directory Information at the University consistent with the federal Family Education Rights and Privacy Act, Florida state law and University practice.

FULL TEXT OF THE REGULATION: The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at www.fau.edu/regulations. In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATION: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT: Michael R. Armstrong, PhD, Associate Provost, Department of Academic Affairs

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE REGULATION AMENDMENT IS: Valerie Laine, Coordinator, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

PROPOSED (final version)

Florida Atlantic University

Regulation 4.008 Access to Student Records

(1) The following information is Directory Information that Florida Atlantic University may release upon request, or otherwise publish, unless specifically notified by the student in writing:

- a. Student name;
- b. Student address;
- c. Student telephone number (if it is a listed number);
- d. Student date and place of birth;
- e. Student class and college of enrollment;
- f. Student major field of study;
- g. Student dates of attendance;
- h. Student degrees and awards received;
- i. Student participation in officially recognized activities and sports;
- j. Student weight and height of members of athletic teams; and
- k. Most recent previous educational agency or institution attended by the student.

(2) If any student does not wish to have his/her Directory Information released, the student must notify the Registrar in writing on or before the end of the first week of classes of any semester. All other personally identifiable records kept by the University concerning students shall be considered confidential and access to them shall be limited.

(3) The University maintains certain Limited Access records as defined by law through its designated records custodians or their designees listed below. Records custodian designations include, but are not limited to:

- a. Student Health & Medical Records- Student Health Services Manager;
- b. Student Disciplinary Records- Dean of Student Affairs;
- c. Records of Student Employment- Director of Student Employment;
- d. Non-Academic Counseling- Director of Counseling Center;
- e. Student and Family Financial Records- Director of Student Financial Aid;
- f. International Student Records- director of International Student Services;
- g. Student Academic Records- University Registrar and/or Director/Chairperson of academic department; and
- h. Student Placement Records- Director of Career Development Services.

(4) The custodians of limited access records may release information from such records only:

- a. With the written consent of the student whose records are sought to be released;
- b. As required by the President of the University or the President's designees in the discharge of official duties; or
- c. As otherwise provided by law.

(5) Subpoenas for student records addressed to the appropriate custodian are properly served to either the University Registrar or the University General Counsel.

*Specific Authority 1002.22 F.S., 20 U.S.C. 1232g. Formerly 6C5-4.09 and 6C5-4.009.
History—New 3-26-80, Amended 11-11-87, 11-8-06.*

Regulation 4.008 Access to Student Records

(1) ~~___~~ The following information is ~~directory information~~ Directory Information that Florida Atlantic University may release upon request, or otherwise publish, unless specifically notified by the student in writing:

- l. ~~(a)~~ Student name-;
- m. ~~(b)~~ Student address-;
- n. ~~(c)~~ Student telephone listing-number (if it is a listed number);
- o. ~~(d)~~ Student date and place of birth;
- p. Student class and college of enrollment-;
- q. ~~(e)~~ Student ~~academic~~ major- field of study;
- r. ~~(f)~~ Student dates of attendance;

Student degrees ~~awarded.~~

- s. ~~(g)~~ Student and awards received-;
- t. Student participation in officially recognized activities and sports;
- u. Student weight and height of members of athletic teams; and
- v. Most recent previous educational agency or institution attended by the student.

(2) ~~___~~ If any student does not wish to have ~~directory information~~ his/her Directory Information released, the student must notify the ~~registrar~~ Registrar in writing on or before the end ~~of~~ the first week of classes of any semester. All other personally identifiable records kept ~~by~~ the University concerning students shall be considered confidential and access to them ~~shall~~ be limited.

~~(2-3)~~ The University maintains ~~through its designated custodians,~~ certain limited access Limited Access records. ~~The following list is not exclusive as defined by law through its designated records custodians or their designees listed below. Records custodian designations include, but are not limited to:~~

RECORDS CUSTODIAN

- i. Student Health & Medical Records- Student Health Services Manager;
 - j. Student Disciplinary Records- Dean, of Student Affairs;
- Records of Student ~~Personal~~
- k. ~~Non-Academic Counseling~~ Employment- Director, ~~Counseling Center of~~ Student Employment;
 - l. Non-Academic Counseling- Director of Counseling Center;
 - m. Student and Family Financial Records- Director, of Student Financial Aid;
 - n. International Student Records- director of International Student ~~Advisor~~ Services;
 - o. Student Academic Records- University Registrar and/or Director/Chairperson of academic department; and

p. Student Placement Records- Director, of Career Development Services.

~~(3)4~~ The custodians of limited access records may release information from such records only:

~~(a)~~ With the written consent of the student whose records are sought to be
d. released;

~~(b)~~ As required by the President of the University or the President's designees in
e. the discharge of official duties; or

f. ~~(e)~~ As otherwise provided by law.

(5) Subpoenas for student records addressed to the appropriate custodian are properly served to either the University Registrar or the University General Counsel.