



376896

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2014	.	
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	.	
	.	

The Committee on Governmental Oversight and Accountability
(Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1006.52, Florida Statutes, is amended to
read:

1006.52 Education records and applicant records; public
records exemption.—

(1) Each public postsecondary educational institution may
prescribe the content and custody of records that the



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11 institution may maintain on its students and applicants for
12 admission. A student's education records, as defined in the
13 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
14 1232g, and the federal regulations issued pursuant thereto, and
15 applicant records are confidential and exempt from s. 119.07(1)
16 and s. 24(a), Art. I of the State Constitution. For the purpose
17 of this subsection, applicant records are ~~shall be considered to~~
18 ~~be~~ records that are:

19 (a) Directly related to an applicant for admission to a
20 public postsecondary educational institution who has not been in
21 attendance at the institution; and

22 (b) Maintained by a public postsecondary educational
23 institution or by a party acting on behalf of the public
24 postsecondary educational institution.

25 (2) (a) A public postsecondary educational institution may
26 not release a student's education records without the written
27 consent of the student to any individual, agency, or
28 organization, except in accordance with and as permitted by the
29 FERPA.

30 (b) Education records released by public postsecondary
31 educational institutions to the Auditor General or the Office of
32 Program Policy Analysis and Government Accountability, which are
33 necessary for such agencies to perform their official duties and
34 responsibilities, must ~~shall~~ be used and maintained by the
35 Auditor General and the Office of Program Policy Analysis and
36 Government Accountability in accordance with the FERPA.

37 ~~(3) This section is subject to the Open Government Sunset~~
38 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
39 ~~on October 2, 2014, unless reviewed and saved from repeal~~



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40 ~~through reenactment by the Legislature.~~

41 Section 2. This act shall take effect October 1, 2014.

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43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 Delete everything before the enacting clause

46 and insert:

47 A bill to be entitled

48 An act relating to a review under the Open Government
49 Sunset Review Act; amending s. 1006.52, F.S., relating
50 to an exemption from public records requirements for
51 postsecondary education records and applicant records;
52 saving the exemption from repeal under the Open
53 Government Sunset Review Act; providing an effective
54 date.