

Christopher Newport University

Annual Notification of Rights under the FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) of 1974 as Amended

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects student privacy. Under FERPA, eligible students are granted certain rights with regard to education records:

Right to inspect and review their education records within 45 days of the request;

Right to request amendment of education records if the student believes they are inaccurate;

Right to require Christopher Newport University to obtain written consent to disclose personally identifiable information from the student's education record unless an exception applies;

Right to file a complaint concerning alleged FERPA violations with the Family Policy Compliance Office (FCPO) within the U.S. Department of Education:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Disclosing Education Records:

1. Disclosure of General Directory Information: FERPA allows for the designation of certain academic record information as "directory" or public information [education record information not requiring prior written permission to release]. Christopher Newport defines directory information as follows:
 - a. Student's name
 - b. Date of birth
 - c. Dates of attendance at the University, field of concentration, degrees, honors and awards
 - d. Enrollment status – full-time or part-time
 - e. Height and weight of members of athletic teams
 - f. Participation in officially recognized activities

2. Directory information will not be released for commercial purposes by administrative offices of the University under any circumstances. Students may request that directory information not be released by written request to the University Registrar. All other student information will be released only upon written request of the student, excepting those instances cited below.
3. Disclosure to members of the University community:
 - a. "School Official" is defined as a person employed by the University in an administrative, supervisory, academic or research role, or any University employee operating in support of the University's overall mission and goals; a person or company with whom the University has contracted (such as attorney, auditor, or collection agent); or a person serving on the Board of Visitors.
 - b. A school official must have a legitimate educational interest in order to review an education record. A legitimate educational interest is the demonstrated 'need to know' and is further defined in the following manner: the information requested must be within the context of the responsibilities assigned to the School Official; the information sought must be used within the context of official University business in support of the University's overall mission and goals and not for purposes extraneous to the official's area of responsibility or extraneous to the University; information requested must be relevant and necessary to the accomplishment of some task or to making some determination within the scope of University employment or to assist in accomplishing the University's overall mission and goals. A school official is determined to have a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.
 - c. Information requested by student organizations of any kind will be provided only when authorized by the Vice President of Student Affairs/Dean of Students.
4. Disclosure to parents and organizations providing financial support to a student: It is the University's policy to release the academic transcript or grade report to parents and/or organizations only upon the student's written request or authorization. Parents may also provide documentation showing the student as a financial dependent, according to the definition provided in section 152 of the IRS Code, and submit a request for their student's academic transcript or grade report. Otherwise, the academic transcript or grade report will be sent only to the student or at the student's written instruction, a policy consistent with the University's interpretation of the Family Educational Rights and Privacy Act.
 - a. In Virginia, the education record of a dependent student may be available to the parent of the student in compliance with Section 23 1-1303.B.5 of the Code of Virginia, as allowed within the guidelines of the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g). Parents must provide

supporting dependency documentation with each request for an academic transcript or grade report. Students may also provide a signed release which allows parents to request an academic transcript or grade report without providing additional documentation.

5. Disclosure to other educational agencies and organizations: Information may be released to another institution of learning, research organization, or accrediting body for legitimate educational reasons, provided that any data shall be protected in a manner that will not permit the personal identification of the student by a third party.
6. Disclosure to local, state, and federal governmental agencies: Government agencies are permitted access to student records only when auditing, enforcing, and/or evaluating sponsored programs. In such instances, such data may not be given to a third party and will be destroyed when no longer needed for audit, enforcement, and/or evaluative purposes.
7. Per § 23.1-1303.B.5 of the Code of Virginia, the educational record of a dependent student will be released to parent(s) upon request provided either the parent(s) submits written evidence that the parent(s) declare the student as a dependent on their most recent federal income tax forms or the student consents to the release of the educational record to parent(s). Please note that this state legislation is allowable within the guidelines of the Family Educational Rights and Privacy Act (FERPA).

Student Requests: Students who are legal tax dependents of their parent or legal guardian may authorize the dissemination of educational record information to their parent(s) or legal guardian via the Permission for the Office of the Registrar to Release Education Record Information form.

Parent Requests: Parent(s) must complete the FERPA Parent Consent Form (Parent Consent to Release Student Information) and submit the completed form, a copy of the most recent year's tax return listing the student as a dependent, and a copy of a valid government issued identification card or passport to the Office of the Registrar. The consent form will be valid until the end of the current tax year. Parents or legal guardians will need to resubmit with a copy of the federal tax return from the most recent tax year, along with a copy of their government issued identification or passport. Parents must then specifically request a copy of the academic transcript, mid-term grades, or final grades in writing (mailed, delivered in person, or faxed) to the Office of the Registrar.

Both forms can be found online from the Office of the Registrar website or by emailing register@cnu.edu.