Release of Educational Records to Parents of Dependent Students

Policy Title: Release of Educational Records to Parents of Dependent Students

Policy Type: Administrative

Policy Number: 31-11 (2014)

Approved: 01/12/2015

Responsible Office: Office of the Registrar

Responsible Executive: Provost and Vice President for Academic Affairs

Applies to: Students, parents, and guardians

POLICY STATEMENT

The purpose of this policy is to comply with Chapter 495, 2008 Virginia Acts of Assembly which was passed by the General Assembly in 2008 and was added to the Code of Virginia as §23-9.2:3 (D) and remain in compliance with the Family Educational Rights and Privacy Act (FERPA) when providing parents of dependent students’ access to their educational records.

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
<th>PAGE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitions</td>
<td>1</td>
</tr>
<tr>
<td>Contacts</td>
<td>2</td>
</tr>
<tr>
<td>Stakeholder(s)</td>
<td>3</td>
</tr>
<tr>
<td>Release of Educational Records to Parents: Policy Content</td>
<td>3</td>
</tr>
<tr>
<td>Publication</td>
<td>3</td>
</tr>
<tr>
<td>Review Schedule</td>
<td>4</td>
</tr>
<tr>
<td>Related Documents</td>
<td>4</td>
</tr>
<tr>
<td>Forms</td>
<td>4</td>
</tr>
</tbody>
</table>

DEFINITIONS

Dependent student: A student who does not meet any of the criteria for an independent student. An independent student is one of the following: at least 24 years old, married, a graduate or professional student, a veteran, a member of the armed forces, an orphan, a ward of the court, someone with legal dependents other than a spouse, an emancipated minor or someone who is homeless or at risk of becoming homeless. Source: (www.studentaid.ed.gov, n.d.)
**Educational Record:** Information about a student that is maintained by the University as part of the educational process. The contents of an education record include files, documents, and materials in any medium, including: emails, computer files, computer screen, printouts, tapes, disks, film, and microfilm/microfiche. Source: (www.studentaid.ed.gov, n.d.)

**FERPA:** a federal law that protects the privacy of student education records, the university must ensure the student’s privacy is protected, and written permission has been given before information is released. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." Source: (www.studentaid.ed.gov, n.d.)

**Parent:** An adoptive parent is treated just like a biological parent. For reporting income and assets, a stepparent is considered a parent if married to a biological or adoptive parent and if the student counts in their household size.

However, a stepparent who did not adopt the student cannot be the sole parent for determining dependency status. If the other parent dies, the student is still a dependent of the remaining biological parent, not the stepparent. If no biological parent remains, the student is independent.

A foster parent or a legal guardian is not treated as a parent for FSA purposes. If at any time since the age of 13 both of the student’s parents were dead (and he did not have an adoptive parent) or he was in foster care, he is independent. If he is now, or was when he became an adult, an emancipated minor or in legal guardianship he is independent.

If a student is living with her grandparents or other relatives, their data should not be reported on the FAFSA as parental data unless they have adopted the student. Any cash support from persons other than the student’s parents should be reported as untaxed income.

The school may also consider other kinds of support as part of the student’s financial resources and use professional judgment to include the support under the item for student’s untaxed income. Source: (www.studentaid.ed.gov, n.d.)

**CONTACT(S)**

The Provost and Vice President for Academic Affairs and Assistant Vice President for Enrollment Management officially interpret this policy and are responsible for obtaining approval for any revisions as required by BOV Policy #01 (2014) **Creating and Maintaining Policies** through the appropriate governance structures. Questions regarding this policy should be directed to the Office of the Registrar.
STAKEHOLDER(S)

University Community: to include students, Office of the Registrar, Office of Financial Aid, and Student Accounts.

RELEASE OF EDUCATIONAL RECORDS TO PARENTS: POLICY CONTENT

In accordance with FERPA regulations, any parent requesting information pertaining to his/her child’s educational record based on dependency status must provide a written request to the Office of the Registrar with the following information:

- The date
- The student’s name and a statement indicating the student is the parent’s dependent
- The specific records requested
- A signature

A student must be under the age of 24 to be considered a dependent. Upon receipt of the parent’s written request, the Office of the Registrar must notify the student of the request and the intent to disclose the records to the parent. Notifications will be made via campus e-mail. If the student has not signed a Release of Information listing the parent as someone the University has permission to disclose his/her educational record to, a reasonable amount of time must be given for the notification to reach the student and for the student to respond. Generally, ten days is sufficient for a verbal or written reply. Once permission is granted, the Office of the Registrar staff will confirm the student’s dependency status and age in Colleague, and proceed to release the specific records requested. The staff member working with the record will note verbal responses on the parents request form. If the student refuses the disclosure, the parent must obtain a signed, written consent form the student before the information can be released.

This process must be repeated each time the parent makes a request for educational records based on dependency status. The form is available at www.nsu.edu/registrar. Parents may use the form or submit the required information without utilizing the form. The Registrar will retain a copy of the request and any other documentation in the student’s file. Within the Office of the Registrar, files are maintained electronically utilizing optical disc storage technology.
PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, within 14 days of approval;
- Submit this policy to the President’s Office for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the Division’s SharePoint site and/or website; on the webpages of the Division of Academic Affairs, Enrollment Management, Military Programs, Undergraduate Admissions Office, University Registrar, Veteran Affairs, and the TransferMation Center; student handbooks, University catalogs; and
- Educate and train all stakeholders and appropriate audiences on the policy’s content, as necessary.

REVIEW SCHEDULE

- Next Scheduled Review: 04/26/2021
- Approval by, date: President, 01/12/2015
- Revision History: 06/10/2015
- Supersedes: None

RELATED DOCUMENTS

There are no related documents associated with this policy.

FORMS

https://www.nsu.edu/enrollment-management/registrar/forms