



## **BOV POLICY #23 (2020) RELEASE OF EDUCATIONAL RECORDS TO PARENTS OF DEPENDENT STUDENTS**

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| <b>Policy Title:</b>          | Release of Educational Records to Parents of Dependent Students                    |
| <b>Policy Type:</b>           | Board of Visitors /Administrative/Local  |
| <b>Policy Number:</b>         | BOV Policy # 23 (2020)   |
| <b>Approval Date:</b>         | March 19, 2021   |
| <b>Responsible Office:</b>    | Office of the Registrar  |
| <b>Responsible Executive:</b> | Vice President for Operations and Chief Strategist for Institutional Effectiveness |
| <b>Applies to:</b>            | University Community   |

### **POLICY STATEMENT**

The Norfolk State University Board of Visitors is authorized under the Code of Virginia § 23.1-1300 et seq. to, among other things, make regulations and policies concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. Code of Virginia § 23.1-1303(B)(5) requires the Board of Visitors of every public institution of higher education establish policies and procedures requiring the release of the educational record of a dependent student, as defined by the federal Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. § 1232g), to a parent at his/her request.

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## **BOV POLICY #23 (2020) RELEASE OF EDUCATIONAL RECORDS TO PARENTS OF DEPENDENT STUDENTS**

### **DEFINITIONS**

**Dependent Student:** means a student under the age of 24 who is claimed for federal income tax purposes as a dependent by his/her parents.

**Education Records: as defined by FERPA,** those records, files, documents, and other materials which contain information directly related to the student; and are maintained by an educational agency or institution or by a person acting for such agency or institution.

**FERPA:** the acronym for the Family Educational Rights and Privacy Act, originally enacted in 1974 to: (1) assure parents or enrolled students' access to their education records, and (2) protect such individuals' right to privacy by limiting the transferability of their records without their consent. Parents transfer their rights under FERPA to their child when he or she has attained eighteen years of age or is attending an institution of post-secondary education.

**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 legal guardian is not treated as a parent for Federal Student Aid (FSA) purposes. If at any time since the age of 13, and the students' parents are deceased (and he/she did not have an adoptive parent) or in foster care, he/she is independent. If the student is now or becomes an adult, emancipated minor or in legal guardianship, he/she is independent.

### **CONTACT(S)**

(Office of Enrollment Management) officially interprets this policy. (Office of Enrollment Management) is 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 (Office of the Registrar).

### **STAKEHOLDER(S)**

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



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### **POLICY CONTENTS**

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their educational records. The University may disclose any and all education records to parents of dependent students, without the consent of the eligible student, if the student is a dependent for tax purposes under the IRS rules within ten (10) business days.

Any parent requesting information pertaining to his/her dependent child's educational record based on dependency status must provide a written request to the Office of the Registrar with the following information:

- Date of Request
- Student Name
- Copy of most recent year's tax return listing the student as a dependent
- Copy of valid government-issued identification card or passport
- Specific records requested, and
- Signature

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 are made via students' electronic email account. If the student has not signed a [Release of Information Agreement](#) 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.

### **EDUCATION AND COMPLIANCE**

Currently enrolled students will be required to accept or decline FERPA release of information notifications in MyNSU at the beginning of each fall semester. The request for the Release of Student Information is taken very seriously by the Office of the Registrar, this office will ensure that all provisions are followed as well as, require that all requestors understand the implications of non-compliance to securing all student information. This involves, but is not limited to paper copies, email attachments and all forms of electronic data.

Students may request that Norfolk State University withhold directory information by sending an email to registrar@nsu.edu stating that they do not want any of their information released to a third party. Once a student has filed a request to withhold directory information the Registrar's office will not release the student's directory information to anyone including for such purposes as publication on the Dean's list, listing in commencement bulletins, and requests from prospective employers.



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To ensure conformity to the requirements of this policy, two weeks into the semester the Office of the Registrar will email all students who have not accepted or declined the FERPA release of information notification to explain to them the effects of not doing this.

### **PUBLICATION**

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

1. Communicate the policy in writing, electronically or otherwise, to the University community effected by the Policy as soon as feasible;
2. Submit the Policy for inclusion in the online Policy Library within 14 days of approval by the Board; and
3. Post the policy on the appropriate SharePoint Site and/or Website

Failure to satisfy procedural requirements does not invalidate this policy.

### **REVIEW SCHEDULE**

- Next Scheduled Review: March 2024
- Approval by, date: Board of Visitors, March 19, 2021
- Revision History: September 15, 2017; December 11, 2020
- Supersedes: None

### **RELATED DOCUMENTS**

[Family Educational Rights and Privacy Act \(FERPA\)](#)

### **FORMS**

[Release of Information Form](#)