

***Christopher Newport University***  
**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**  
**Annual Notice to Students**

Listed below is the notification of the Family Educational Rights and Privacy Act of 1974 (FERPA). The University is required to inform enrolled students annually of their rights under the terms of FERPA. The act does not apply to students admitted to the University who have not officially enrolled.

**Note:** Access <http://registrar.cnu.edu/forms.html> for the latest changes to the Family Educational Rights and Privacy Act of 1974 (FERPA).

**A. Policy Intent**

1. The University student record policy is intended to conform with all state and federal statutes dealing with access to information held by an educational institution on present and former students.
2. The CNU student record policy is formulated to protect the privacy of student information that is maintained and yet provide access to student records for those having a legitimate educational interest in viewing such records. Regulations and procedures to ensure adequate protection of the student are provided in this policy.

**B. Student Rights under FERPA:**

1. Enrolled students have the right to inspect their education record within 45 days of the request for inspection and are entitled to an explanation of any information therein. "Record" refers to those files and their contents that are maintained by official units of the University. Generally, students have the right to review any official record that the University maintains on that student. When access is permitted, documents will be examined only under conditions that will prevent unauthorized removal, alteration, or mutilation. Students must submit to the Office of the Registrar written requests that identify the record(s) they wish to inspect. A University official will make arrangements for access and notify the student of the time and place where the record(s) may be inspected. If the University official to whom the request was submitted does not maintain the requested record(s), that official shall advise the student of the correct official to whom the request should be addressed.
2. Information to which the student does not have access is limited to the following:
  - a) Confidential letters and recommendations placed in the student's files before January 1, 1975, and those letters for which student has signed a waiver of his or her right of access. Letters of recommendation are removed from the Admissions files before the files are forwarded to the Registrar's Office.
  - b) Parents' confidential financial statements.
  - c) Personal files and records of members of faculty or administrative personnel, which are in sole possession of the maker thereof.
  - d) Education records, which contain information about more than one student; in such cases, CNU will allow the inquiring student access to the part of the record, which

pertains only to the inquiring student.

- e) Records of the Admissions Office concerning students admitted but not yet enrolled at the University.
  - f) Medical/psychological records used in connection with treatment of the student. A physician or psychologist of the student's choice may view such records;
  - g) University Police Department records, when utilized for internal purposes by this office in its official capacities.
3. Documents submitted to the University by or for the student will not be returned to the student. Normally, academic records received from other institutions will not be sent to third parties external to the University, nor will copies of such documents be given to the student. The student should request such records from the originating institution.
  4. Students have the right to request an amendment of the education record that the student believes is inaccurate or misleading. Should a student believe his or her record is incorrect, s/he should write the University official responsible for the record, clearly identify the part of the record s/he wants changed, and specify the information s/he feels is inaccurate or misleading. The official will respond within a reasonable period concerning his or her action. Should the student not be satisfied, a hearing may be requested of the University Registrar.
  5. Students have the right to consent to disclosures of personally identifiable information contained in the student's education record, except to the extent that FERPA authorizes disclosure without consent (see C3 below).
  6. Students have the right to file a complaint with the US Department of Education concerning alleged failures by CNU to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

**C. Access to Student Records by Others:**

1. Disclosure of General Directory Information: Certain information may be released by the University without prior consent of the student if considered appropriate by designated school officials. Such information is defined as the following:
  - a. Student's name, address, telephone number (permanent and local)
  - 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 Office of the 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, or support staff position (including university law enforcement personnel and health staff); 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 and not for purposes extraneous to the officials area of responsibility or 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. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
  - c. Information requested by student organizations of any kind will be provided only when authorized by the 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 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. Otherwise, the academic transcript will be sent only to the student or at the student's written instruction, a policy consistent with the University's interpretation of FERPA.
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.