

Family Educational Rights and Privacy Act (FERPA) of 1974

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

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."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school within 45 days from request. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information. An eligible student has the right to file a complaint with the US Department of Education, and may obtain a complaint form by calling (202) 260-3887.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Parents of a "dependent student" as that term is defined in Section 152 of the Internal Revenue Code;
 - Accrediting organizations;
 - Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as the student's name, address, e-mail address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended, photograph, grade level (such as 11th grade or junior year), and enrollment status (full-time or part-time). However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

If, after reading this guidance document, you have questions regarding FERPA which are not addressed here, you may contact:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520 -800-872-5327).
Website: www.ed.gov/policy/gen/guid/fpc/index.html



NEW MEXICO MILITARY INSTITUTE

OFFICE OF THE REGISTRAR

(575) 624-8070/8072/8071 | registrar@nmmi.edu | Fax: 575-624-8073

FERPA Consent Form

Cadet ID Number: _____

Under the Family Educational Rights and Privacy Act (FERPA), New Mexico Military Institute is permitted to disclose information from your education records to your parents if your parents (or one of your parents) claim you as a dependent for federal income tax purposes. Complete the below information so we may comply with your FERPA rights.

List your parent(s) or person(s) who are your primary contacts and associated with your education at NMMI:

** If parents live at the same address, please list both in line No. 1*

1. Name: _____ Relationship: _____

Address: _____ City: _____ State: _____ Zip: _____

Primary Contact Number: _____ Primary email: _____

2. Name: _____ Relationship: _____

Address: _____ City: _____ State: _____ Zip: _____

Primary Contact Number: _____ Primary email: _____

Please check the appropriate box which applies:

- Yes. I am claimed as a dependent for federal income tax purposes for the person(s) listed above I do consent to the disclosure of any personally identifiable information from my education records to person(s) listed above.
- I do not know if I am claimed as a dependent for federal income tax purposes for the person(s) listed above, but I do consent to the disclosure of any personally identifiable information from my education records to person(s) listed above.
- No. I am NOT claimed as a dependent for federal income tax purposes for the person(s) listed above, but I do consent to the disclosure of any personally identifiable information from my education records to person(s) listed above.
- No. I certify that I am NOT claimed as a dependent for federal income tax purposes and DO NOT consent disclosure of any personally identifiable information from my education records to person(s) listed above.

Cadet Signature

Date

Cadet Primary Email Address

This authorization will remain in effect until revoked in writing. Students cannot be denied any educational services from NMMI if they refuse to provide consent. Return form to the Office of the Registrar.

For additional information, you may call (1-800-872-5327) or visit the website <http://www.ed.gov>