UNIVERSITY OF VIRGINIA  
BOARD OF VISITORS AGENDA SUMMARY  

BOARD MEETING: July 25, 2008  
COMMITTEE: The University of Virginia's College at Wise  
AGENDA ITEM: House Bill No. 1058  

BACKGROUND: The General Assembly adopted House Bill 1058 during the 2008 session. This bill requires the governing board of any public institution of higher education in Virginia to establish policies and procedures requiring the release of the educational records of a dependent student, as defined by 20 U.S.C. 123g, to a parent at his/her request.  

DISCUSSION: To comply with House Bill 1058, The University of Virginia’s College at Wise developed a policy and procedure providing for the release of educational records to parents of dependent students upon request. This policy will be distributed annually to the campus community through publication in the Student Handbook.  

The Executive Committee of the Wise Board approved a policy and procedure on July 8; the Board of Visitors, which approved a similar policy for the University at the June meeting, must ratify the action of the Wise Board.  

ACTION REQUIRED: Approval by the Board of Visitors  

RESOLVED, the Board of Visitors approves The University of Virginia’s College at Wise policy and procedures to comply with House Bill 1058, adopted by the Executive Committee of the Wise Board on July 8, 2008. The policy and procedures follow.
WHEREAS, House Bill 1058 was passed during the 2008 General Assembly Session to require the release of the educational record of a dependent student, as defined by 20 U.S.C. § 1232g, to a parent at his/her request; and

WHEREAS, 20 U.S.C. § 1232g, the Family Educational Rights and Privacy Act (“FERPA”), generally defines “dependent student,” consistent with the Internal Revenue Code, as a student who does not provide over one-half of his/her own support for the calendar year in which the taxable year of the taxpayer begins; and

WHEREAS, the bill requires that the governing boards of each institution shall establish the policies and procedures necessary to comply with the legislation;

RESOLVED, in accordance with HB 1058 and commencing the effective date thereof on July 1, 2008, The University of Virginia’s College at Wise Board hereby affirms as College policy the aforesaid requirement to release the educational records of dependent students to their parents upon request, which shall be implemented as follows:

1. The University of Virginia’s College at Wise Office of Information Technology shall electronically solicit dependency status from all incoming and returning students and shall store such data on the College’s central student system of record; and

2. A parent also may provide his/her tax records to the College to demonstrate a student’s dependent status to ensure that such status is accurately recorded in the central student system of record; and

3. The College’s Provost and Senior Vice Chancellor shall designate the office within his/her division as being primarily responsible for collecting and responding to requests from parents of dependent students for academic records; and

4. The Vice Chancellor for Administration shall designate the office within his/her division as being primarily responsible for collecting and responding to requests from parents of dependent students for non-academic records; and

5. Appropriate personnel in the offices charged hereunder shall consult the College’s central student system of record to confirm a student’s dependent status prior to furnishing educational records to parents under this policy; and

6. The foregoing is subject at all times to the authority and direction of the College officials charged hereunder to develop and implement specific procedures as may be desirable or necessary including designating other College offices or personnel to respond to requests for records under this policy as may be necessary or appropriate under the circumstances.