VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 9) 16 October 2026

Family Educational Rights and Privacy Act (FERPA) and Student Records Policy

Purpose: This General Order constitutes the VMI policy on educational rights of our cadets concerning their records as well as the privacy and disclosure of cadet information.

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99, protects the privacy of student education records, defined broadly to include all records maintained by an institution of higher education or an agency acting for such institution that are directly related to a student. Virginia Military Institute complies with the provisions of FERPA in maintaining cadet education records and responding to requests for disclosure of education records.

Student Rights:
Cadets have certain rights concerning education records maintained by VMI, including the following:

a. Cadets have the right to inspect and review their own education records maintained by VMI. Copies of records will not be provided unless, for reasons such as great distance, it is impossible for cadets to review the records. A reasonable fee may be charged for copies.
b. Cadets have the right to request that VMI amend records which they believe to be inaccurate, misleading, or in violation of the cadet's privacy rights. If VMI determines that the record is inaccurate, misleading, or in violation of the cadet's privacy rights then VMI shall amend the record and inform the cadet in writing of the amendment. If VMI decides not to amend the record, the cadet may request a formal hearing to appeal the decision. If a determination is made not to amend the record at the conclusion of the appeals process, the cadet has the right to provide a statement to be included with the record setting forth his or her view about the contested information.
c. Cadets seeking to inspect or review education records or to seek amendment should contact the Registrar's Office.
d. Cadets have a right to consent to disclosure of personally identifiable information in the cadet's education record, subject to certain exemptions under FERPA authorizing disclosure without consent, as detailed below.
e. Cadets may obtain information regarding FERPA or may file a complaint with the U.S. Department of Education concerning VMI's compliance with FERPA by contacting the Family Policy Compliance Office at:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920
Phone: 1-800-USA-LEARN (1-800-872-5327)

Disclosure of Education Records:
Education records may be disclosed if a cadet provides a written and specific release. A model format for such release may be obtained from the Registrar's Office. VMI also may disclose education records to the parents of cadets who have provided a specific release authorizing disclosure to their parents.

VMI may disclose information from education records without the cadet's consent under certain circumstances detailed in FERPA including, but not limited to, the following:

- School officials with a legitimate educational interest;
  "School officials" for purposes of this policy include faculty, administrative and professional staff, clerical personnel, members of the ROTC units acting in discharge of official duties, and cadets acting in an official capacity in support of the VMI mission including Honor Court and cadet government members.
  "Legitimate educational interest" typically will be determined on a case-by-case basis. Generally, a legitimate educational interest will exist when the information is relevant and necessary for a VMI official to perform tasks within the scope of his or her job description in the context of official VMI business and the use is consistent with the purpose for which the information is maintained.
- Outside contracted or affiliated agencies performing functions in support of the VMI Mission.
- Other post-secondary institutions to which a cadet is transferring or seeking transfer.
- Federal and state entities in connection with financial aid eligibility or awards, an audit or evaluation of federal or state-supported education programs, or for the enforcement of or compliance with federal legal requirements related to federal education programs,
- In accordance with a validly issued subpoena and after notice to the affected cadet.
- Specified officials for audit or evaluation purposes,
- Organizations conducting certain studies for or on behalf of VMI,
- Accrediting organizations, including the Southern Association of Colleges and Schools – Commission on Colleges,
- In connection with a health or safety emergency, including release of information regarding an act of sexual violence to local law enforcement as required by Va. Code § 23.1-806,
- Disclosure of the final results of a disciplinary proceeding for an offense of violence or a non-forcible sex offense in violation of the cadet rules of conduct ("Blue Book") or other VMI policy, to the victim of such offense,
- Criminal investigation records disclosed by the VMI Police to local law enforcement or the Virginia State Police,
- In connection with the Virginia Longitudinal Data System,
- Directory information,
  "Directory information" is defined by VMI to include a cadet's name, home address, VMI box number, VMI email address, telephone number, photograph, date and place of birth, honors and awards, participation in VMI recognized activities and sports, weight, and height of members of athletic teams, major field of study, ROTC unit affiliation, and dates of attendance.

  Other than cadet address, telephone number, and email address, directory information may be released by VMI unless a cadet specifically requests to "opt out" of directory

information release before the end of the first week of the fall semester. Opt out requests must be made in writing to the Director of Communications and Marketing and remain in effect until rescinded by the cadet, including after graduation.

In accordance with Virginia Code § 23.1-405(C), VMI will not release pursuant to the FERPA directory information exception, 34 C.F.R. § 99.31(a)(11), cadet address, telephone number, or email address unless the cadet has affirmatively consented in writing to such disclosure. VMI will obtain written consent to include cadet address, telephone number, and email address in any directory searchable by the public or any VMI internal directory.

In accordance with Virginia Code § 2.2-3705.4(B), VMI will not release cadet address, phone number, or email address in response to a Freedom of Information Act (FOIA) request without the written consent of the cadet.

VMI reserves the right to deny requests for cadet directory information from any individual or entity external to the VMI community.

Record of disclosure:
In accordance with FERPA, 99 CFR § 99.32, VMI will maintain a record of each request for access to and each disclosure of personally identifiable information from cadet education records including (i) the parties who have requested or received personally identifiable information from education records; and (ii) the legitimate interests the parties had for requesting or obtaining the information. In the event of a disclosure of personally identifiable information from education records in connection with a health or safety emergency, including under the provisions of Va. Code § 23.2-806, the record of disclosure also will include the articulable and significant threat to the health or safety of a cadet or other individual that formed the basis for the disclosure.

FOR THE SUPERINTENDENT:

Travis Homiak
Colonel, USMC (Ret.)
Chief of Staff

OPR: Registrar

DIST: E, Cadets