

Family Educational Rights and Privacy Act (FERPA) Policy

The University of Pikeville's policy with respect to its student educational records adheres to the requirements and regulations of the Family Educational Rights and Privacy Act. 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."

Education records are records that are directly related to a student, maintained by an educational agency or institution, or by a party acting for the agency or institution. Record means any information maintained in any way, including, but not limited to: handwriting, video, audio tape, computer media, film, print, microfilm and microfiche.

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. FERPA places limitations on the disclosure of personally identifiable information maintained by University of Pikeville with respect to students and limits access to educational records; including the right to inspect and review; right to consent to disclosures, with certain exceptions; the right to obtain copies; the right to seek amendment or correction of such records through informal and formal internal procedures; and the right to place a statement in such educational records explaining any information which the student believes to be inaccurate or misleading.

In accord with FERPA regulations, the University of Pikeville holds certain information to be "directory information," and therefore, subject to disclosure without prior consent from the student. Unless written objection is received no later than 30 days from the commencement of the academic year, the University of Pikeville designates the following items as directory information:

- Student's Name
- Address
- Electronic mail address (UPIKE only)
- Telephone listing
- Date and place of birth
- Photographs
- Major field(s) of study
- Dates of attendance
- Enrollment Status (full-time; part-time, undergraduate, graduate, professional)
- Most recent previous school attended
- Degrees awarded
- Classification/Grade Level
- Name of the undergraduate, graduate, and/or professional school attended
- Participation in officially recognized activities and sports
- Weight and height of athletes
- Honors and awards received

Educational records may be disclosed to school officials (administrators, staff, faculty, coaches, individuals and/or organizations to whom the University has contracted or are conducting studies on behalf of the University for services, studies, or research) who have a "legitimate educational interest" in the student without prior consent of the student. "School official" is defined by the Department of Education as the following:

- Person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff)
- Person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, or collection agent)

- Person serving on the Board of Trustees; and/or
- Student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks

A school official has a “legitimate educational interest” if a review of a student’s record is necessary to fulfill the official’s professional responsibilities to the University. School officials may have legitimate educational interests both in students who are currently enrolled and in those no longer enrolled.

If a significant threat to the health or safety of a student or other individual is determined, university personnel may disclose information from education records to any person, including parents, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. University personnel must maintain a record of the significant threat that formed the rational basis for the disclosure.

Other exceptions to education records include: sole possession records, records created and maintained by a law enforcement unit for a law enforcement purpose, employment records (unless contingent on attendance), medical records made and maintained in the course of treatment and disclosed only to those individuals providing treatment, records that only contain information about a student after he or she is no longer a student at the University of Pikeville (i.e. alumni records).

Objections must be in writing, signed and dated by the student, and be directed to the University of Pikeville Registrar’s Office. Complaints regarding alleged violations of rights accorded students by the Family Educational Rights and Privacy Act may be directed to: Family Policy Compliance Office U.S. Department of Education, 400 Maryland Ave. S.W., Washington, D.C. 20202-8520. For additional information: <http://www.aacrao.org>.