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## Notifications

All statements in this publication are announcements of present policy only and are subject to change without prior notice. Nothing contained in this publication is intended to create nor shall be construed as creating a contract, either express or implied, or guarantee for any term or for any specific procedures.

Eastern Kentucky University is an Equal Opportunity/Affirmative Action employer and educational institution and does not discriminate on the basis of age, race, color, religion, sex, sexual orientation, disability, national origin or Vietnam era or other veteran status in the admission to, or participation in, any educational program or activity which it conducts. Any complaint arising by reason of alleged discrimination should be directed to the Equal Opportunity Office of Eastern Kentucky University (Jones Building, Room 106, CPO 37A, Richmond, KY 40475-3102, 859- 622-8020 v/tdd), or to the Director of the Office for Civil Rights, U.S. Department of Education, Philadelphia, PA.

The Board of Regents of Eastern Kentucky University does hereby reaffirm the University's commitment to providing educational opportunities to all qualified students regardless of economic or social status and ensuring that participation in all University sponsored activities will be administered in a way that furthers the principles of equal employment and educational opportunities.

Eastern Kentucky University does not discriminate on the basis of disability in the admission or access to educational opportunities, programs or activities. The Director of Services for Individuals with Disabilities, Turley House, Room 1, Eastern Kentucky University, Richmond, Kentucky 40475, coordinates compliance with all federal, state and local laws and regulations concerning access for disabled individuals. Requests for information concerning the Americans with Disabilities Act and other federal and state laws relating to disabilities and the rights provided thereunder, as well as all requests for accommodations based upon disability should be directed to this office.

Eastern Kentucky University is committed to providing a healthy and safe environment for its students, faculty and staff through its compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. In accordance with these laws, students, faculty and staff are hereby notified of the standards of conduct which shall be applicable while on University property, on University business or at University sponsored activities.

By University rules and regulations, federal laws, state laws, and local ordinances, students, faculty and staff are prohibited from the unlawful possession, use, dispensation, distribution, or manufacture of illicit drugs on University property, on University business and/or at University sponsored activities.

Any member of the student body, faculty or staff who violates the University's standards of conduct shall be subject to appropriate disciplinary action up to and including suspension and/or termination. In addition to disciplinary sanctions, students or employees may face prosecution and imprisonment under federal and/or state laws which make such acts felony or misdemeanor crimes. The specifically defined standards of conduct, the disciplinary procedures and possible sanctions appear in the *Student Handbook* and the *Faculty Handbook*.

Continuous efforts are made to make students, faculty and staff aware of the on-campus and off-campus programs which provide information and professional services on matters related to the abuse of alcohol and drugs. For additional information individuals should contact the Eastern Kentucky University Counseling Center.

## Federal Regulations

### Provisions of the Family Educational Rights and Privacy Act of 1974 (as amended) PUBLIC LAW 93-380

This is to serve notice to all students of Eastern Kentucky University of the rights and restrictions regarding the maintenance, inspection, and release of student records contained in the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended. The University is composed of five colleges and offers a wide variety of services to students. Each college and service requires the maintenance of some records concerning students enrolled in a particular college or participating in a nonacademic service. The location and type of record maintained by the University depends upon the field of study or service in which the student is enrolled. The following is a list of the types of records maintained by the University for students:

1. Grade reports
2. Transcripts
3. Curriculum information
4. Applications for graduation
5. Correspondence with students, if any
6. Withdrawal records, if applicable
7. Admission forms
8. ACT test scores
9. Student teacher evaluations, if applicable
10. Letters of recommendation, if applicable
11. Nominations for awards, if applicable
12. Biographical data
13. Evaluation forms, if applicable
14. Weekly student teacher logs, if applicable
15. Mid-term evaluation, if applicable
16. Records of school visitations, if applicable
17. Physical education requirement waivers
18. Field training evaluations and correspondence, if applicable
19. Professional conduct agreements and liability insurance coverage

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**Access to Records:** In general, the records maintained by the University are available only to the student, to University personnel with legitimate educational interests, to other institutions where the student is seeking financial aid, and to authorized representatives of the Comptroller General of the U.S., the Secretary of Education, or an administrative head of an education agency, in connection with an audit or evaluation of federally support programs, and as provided by Section 164.283 of the Kentucky Revised Statutes. However, information may be released by the institution to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons. Records may also be furnished in compliance with a judicial order or pursuant to a subpoena or with the consent of the student.

Students may inspect and review all records pertaining to them within forty-five (45) days of making request for same, except for (1) records created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting or assisting in a professional capacity in connection with treatment of the student (except that the student may have these records reviewed by a physician or appropriate professional designated by the student), (2) financial records of the student's parents, (3) confidential letters and recommendations put in the files prior to January 1, 1975, and (4) confidential recommendations relating to admission, applications for employment, or honors, if the student has waived his/her right to review such records. Where a particular record cannot be reviewed by a student without revealing confidential information relating to other students, the records custodian will inform the student, upon request, of the contents of the record pertaining to that student.

Parents who claim a student as a dependent may present their federal tax declaration, in lieu of having the student's written consent, to gain access to information concerning their children's grades.

**Procedures for Challenge:** A student who believes that any record maintained by the University pertaining directly to that student is inaccurate, misleading, or otherwise violative of the right of privacy of the student as provided by Title IV of Pub. L. 90-247, as amended, and Publ. L. 93-380 as amended by Senate Joint Resolution 40 (1974) may request a hearing before a panel of three persons appointed by the President of the University. The panel may direct that appropriate action be taken to correct, explain, or expunge the record(s) challenged.

Request for hearings should be addressed to the Office of University Counsel, Eastern Kentucky University, Coates Room 205, CPO 40A, 521 Lancaster Avenue, Richmond, Kentucky 40475-3102.

**Directory Information:** The University may release information without the student's consent where the information is classified as "directory information." The following categories of information have been designated by the University as directory information: name, address, telephone listing, e-mail address, 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, and the most recent previous education institution attended by the student. Students who do not wish such information released without their consent should notify the Student Records Office in writing. Any such request should be sent to Office of the Registrar, Office of Academic Records/Transcripts, Eastern Kentucky University, Student Services Building Room 239, CPO 58, 521 Lancaster Avenue, Richmond, Kentucky 40475-3158.

**Notification of Rights Under FERPA for Postsecondary Institutions:** The Family Educational Rights and Privacy affords students certain rights with respect to their education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- (2) The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has

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contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a 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 education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington, DC 20202-4605.

## **Student Right-To-Know Act (Pub. L. 101-542)**

Eastern Kentucky University

**1999-2000**

Section 103 of the Student Right-To-Know and Campus Security Act of 1990 (Public Law 101-542) as amended by the Higher Education Technical Amendments of 1991 (Public Law 102-26) requires public disclosure of relevant graduation rate information for students enrolled in colleges and universities receiving federal financial assistance annually beginning July 1, 1993. Because the Undergraduate and Graduate Catalogs are published for a two-year period, the graduation rate information will be published each year in the *University Handbook for Students* or may be obtained upon request from the Office of the Provost and Vice President for Academic Affairs, Coates Administration Building, Room 110, CPO 30A, 521 Lancaster Avenue, Richmond, Kentucky 40475-3102.