160.720 Consent to release of records -- Release without consent -- Waiver by student -- Records of release.

(1) Parents or eligible students may consent to the release of written documents by completing and signing forms devised by the educational institution identifying the records to be released, the date of the release, the party to whom the release is granted, and the purpose of the request.

(2) Educational institutions shall not permit the release or disclosure of records, reports, or identifiable information on students to third parties other than directory information as defined in KRS 160.700, without parental or eligible student consent except to:

(a) Other school officials, including teachers, with legitimate education interests and purposes.

(b) Other school systems, colleges, and universities to which the student has sought enrollment and transfer, or from which the student was graduated.

(c) Federal, state, or local officials who carry out a lawful function and who are authorized to receive this information pursuant to statute or regulation. This authority includes requests from any agency of the federal and state government for the purpose of determining a student's eligibility for military service.

(d) Federal, state, or local officials to whom the information is required to be disclosed or reported.

(e) Individuals or organizations conducting legitimate studies, surveys, and data collection in such a manner so as not to permit personal identification of the students or parents.

(f) Accrediting organizations enlisted to carry out accrediting functions.

(g) Parents of a dependent student of the parent as defined in Section 152 of the Internal Revenue Code of 1954 (26 U.S.C. sec. 152).

(3) Students may waive the right to inspect confidential recommendations relating to admission to educational institutions, application for employment, and receipt of an honor or honorary recognition. In the case of admissions, the waiver of release shall apply if the student, upon request, is notified of names of persons or organizations making confidential recommendations, and those recommendations are used solely for the purpose intended.

(4) Records of release for information contained in education records, other than directory information indicating the agency, institution, or organization that has requested or has had access to student education records and indicating the purpose of the release or inspection shall be maintained by the educational institution. These records of release shall be limited to inspection by parents, eligible students, school officials and their assistants who are responsible for custody of education records; by school officials within the educational institution who have legitimate educational interests; and by federal and state officials and representatives conducting audits and evaluations of the education programs or in connection with the enforcement of federal or state legal requirements relating to the programs.

Effective: July 15, 1994

History: Created 1994 Ky. Acts ch. 98, sec. 5, effective July 15, 1994.