

### **Personally Identifiable Information\*\***

Personally identifiable information includes, but is not limited to:

1. Student's name, if excluded from directory information, as requested by the student/parent in writing;
2. Name of the student's parent(s) or other family member;
3. Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;
4. Personal identifier such as the student's social security number or state student ID number, or biometric record;
5. A list of personal characteristics that would make the student's identity easily traceable such as student's date of birth, place of birth and mother's maiden name;
6. Other information that would make the student's identity easily traceable;
7. Other information requested by a person who the district believes knows the identity of the student to whom the educational record relates.

#### **Prior Consent to Release**

Personally identifiable information will not be released without prior written and dated consent of the parent, student 18 years of age or older or emancipated.

Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the district will provide a copy of the disclosed record.

#### **Exceptions to Prior Consent**

The district may disclose personally identifiable information without prior consent under the following conditions:

1. To personnel within the district who have legitimate educational interests;

2. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;
3. To personnel of another school, another district, state regional program, or institution of post-secondary education where the student seeks or intends to enroll;
4. To authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of, or compliance with federal or state supported education programs or regulations. The district may disclose information under this section only if the disclosure is made to an official listed above and who enters into a written agreement with the district that:
  - a. Designates the individual or entity as an authorized representative;
  - b. Specifies the personally identifiable information being disclosed;
  - c. Specifies the personally identifiable information being disclosed in furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
  - d. Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
  - e. Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
  - f. Identifies the time period in which the personally identifiable information must be destroyed; and
  - g. Establishes policies and procedures which are consistent with FERPA and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
5. To personnel determining a financial aid request for the student;
6. To personnel conducting studies for or on behalf of the district; When information disclosed under this section is to an official listed in paragraph (4) above, the district must enter into a written agreement with the official that:
  - a. Specifies the purpose, scope and duration of the study and the information to be disclosed;
  - b. Limits the organization to using the personally identifiable information only for the purpose of the study;
  - c. The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
  - d. The information is destroyed when no longer needed for the purposes for which the study was conducted.
7. To personnel in accrediting organizations fulfilling accrediting functions;
8. To comply with a judicial order or lawfully issued subpoena;

9. For health or safety emergency if knowledge of the information is necessary to protect the health and safety of the student and/or other individuals;
10. By request of a parent of a student who is not 18 years of age;
11. By request of a student who is 18 or older or emancipated;
12. Because information has been identified as “directory information;”
13. To the courts when legal action is pending;
14. To a court and state and local juvenile justice agencies;
15. Pursuant to a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters; and/or
16. To a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student including educational stability of children in foster care.

In accordance with the Family Educational Records and Privacy Act (FERPA), for the purposes of the release of information, the term personnel shall include “other school officials” as that term is used in U.S.C. 20 § 1232g and as interpreted by the district, and shall be defined as all persons employed by or under contract with the district to perform specific tasks to further legitimate educational interests of a student.

END OF POLICY

---

**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 326.565](#)

[ORS 326.575](#)  
[ORS 336.187](#)

[OAR 581-015-2000](#)  
[OAR 581-021-0220 to -0430](#)  
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).  
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012).  
 Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).  
 Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221 (2012).