

**Greater Albany SD 8J
Board Policy**

Code: **JOB**

Adopted: 7/10/95

Readopted: 3/12/01; 5/20/02; 8/05/02;
9/12/168/13/07; 4/14/08;
7/16/12; 6/24/13; 9/28/15;
9/12/16; 4/24/17; 7/17/17

Orig. Code(s): BP 5306

Personally Identifiable Information

Personally identifiable information includes, but is not limited to:

1. Student's name, or phone number, if excluded from directory information, as requested by the student/parent or guardian¹ in writing;
2. Name of the student's parent(s) or guardian(s) or other family member;
3. Email address of the student or student's family;
4. Personal identifier such as the student's social security number or student ID number or biometric records such as fingerprints or retina and iris patterns;
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 alone or in combination that would make the student's identity easily traceable.

Prior Consent to Release

Personally identifiable information will not be released without prior signed and dated consent of the parent or guardian or student 18 years 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 guardian or eligible student, the district will provide a copy of the disclosed record.

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Exceptions to Prior Consent

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

1. To district personnel with legitimate educational interests;
2. To personnel of an educational service district or regional or state program in which the student is enrolled or receiving services;
3. To personnel of another school, district, state regional program, or institution of post-secondary education where the student intends to enroll;
4. To authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state or 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 educational programs or the enforcement of or compliance with federal or state regulations.
5. To the nation's armed forces recruiters as required by the federal Elementary and Secondary Education Act of 2001, unless the student/parent or guardian has requested that personal information not be shared with military recruiters;
6. To personnel determining a financial aid request for the student;
7. To personnel conducting studies for or on behalf of the district;
8. To personnel in accrediting organizations fulfilling accrediting functions;
9. To comply with a judicial order or lawfully issued subpoena;
10. For a health or safety emergency;
11. By request of a parent or guardian of a student who is not 18 years of age;
12. By request of a student who is 18 years or older or emancipated;
13. Because information has been identified as "directory information;"
14. To the courts when legal action is initiated;
15. To a court and state and local juvenile justice agencies.
16. 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;

17. To a caseworker or other representative of a state or local child welfare agency or tribal organization that is legally responsible for the care and protection of the student including educational stability of children in foster care.
18. To district contracted service providers to serve the business of the district, which could include information such as student name, student birth date, student or parent(s)/guardian(s) email addresses, or other information needed by the contracted provider to complete the purpose of the service.

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 581-022-1660](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011).
Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).
Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221.

Cross Reference(s):

IGBAB/JO - Education Records/Records of Students with Disabilities Management
JO/IGBAB - Education Records/Records of Students with Disabilities Management
JOD - Media Access to Students