

Board Member Access to Personally Identifiable Student Information

Board Policy JOB provides that any school official (which includes Board members) must have a legitimate educational interest before having access to personally identifiable student information. In general, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. In the case of Board members, unless there is a clear nexus between the duty of the Board member and the need for the information, such information cannot be disclosed.

Areas in which Board members have an established legitimate educational interest with a clear nexus to their professional (and in some cases, statutory) responsibility include:

1. Review of personnel or student matters in executive session;
2. Board hearings as quasi-judicial bodies concerning matters within its jurisdiction; and
3. Studies or other reviews of matters of concern to the Board.

The first two areas describe situations in which the Board would be acting in their official capacity and a legitimate educational interest would be clearly established in accordance Board policy and relevant public meeting laws. With respect to matters arising in the third category, the legitimate educational interest will be reviewed in an open Board meeting and documented in the associated Board minutes before the personally identifiable student information access is granted to Board members.