

RESOLUTION 26-054- Approval of Amended Board Policy JOB-Personally Identifiable Information

Background: This policy addresses the protection and disclosure of personally identifiable student information and establishes the circumstances under which MESD may release student education records with or without prior consent. The policy is being presented to the Board for review and approval with minor language and housekeeping updates and no significant substantive changes. Because the policy is referenced in the newly required Policy KNA – Immigration Enforcement on MESD Property and has not been reviewed by the Board since 2013, staff determined this was an appropriate time to review and update the policy to ensure its language and references remain current and consistent with MESD policy.

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee has reviewed and discussed Board Policy JOB-Personally Identifiable Information; and

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee recommends the Board adopt Board Policy JOB-Personally Identifiable Information;

NOW THEREFORE BE IT RESOLVED, that Board Policy JOB-Personally Identifiable Information is approved as written or as further modified.

BE IT FURTHER RESOLVED, that if no further discussion is required, Board Policy -JOB-Personally Identifiable Information is approved as proposed and does not require a second reading.

Multnomah Education Service District

Code: **JOB**
Adopted: 9/20/94
Revised/Readopted: 7/16/02; 6/15/10; 6/18/13
9/15/26

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 ~~secure~~ student ID number (~~SSID~~), 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 alone or in combination that would make the student's identity easily traceable;
7. Other information requested by a person who the MESD reasonably believes knows the identity of the student to whom the educational record relates.

Prior Consent to Release

Personally identifiable information shall not be released without prior signed and dated consent of the parent or the student 18 years of age or an older or emancipated student.

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 MESD shall provide a copy of the disclosed record.

Exceptions to Prior Consent

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

8. To personnel within MESD who have legitimate educational interests;
9. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;
10. To personnel of another school, another district, state regional program or institution of ~~post-secondary~~ postsecondary education where the student seeks or intends to enroll;
11. 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 the enforcement of or compliance with federal or state regulations;
12. To personnel determining a financial aid request for the student;
13. To personnel conducting studies for or on behalf of MESD;
14. To personnel in accrediting organizations fulfilling accrediting functions;
15. To comply with a judicial order or lawfully issued subpoena;
16. For health or safety emergency;
17. By request of a parent of a student who is not 18 years of age;
18. By request of a student who is 18 years of age or older or emancipated;
19. Because information has been identified as “directory information”;
20. To the courts when legal action is initiated;
21. To a court and state and local juvenile justice agencies;
22. A judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependentcy matters;
23. 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.

END OF POLICY

Legal Reference(s):

Personally Identifiable Information** - JOB

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 (2012).
Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221 (2012).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006).

MESD Policy Cross Reference(s):

EH - Electronic Data Management
GCAB - Personal Communication Devices and Social Media - Staff
IGBAB/JO - Student Education Records**
IIBGA - Electronic Communications System
IKF - Graduation Requirements
JA/JAA - Student Policies, Goals and Objectives
JECD - Attendance
JFCEB - Personal Communication Devices and Social Media
JFE - Pregnant Students
JI - Student Awards and Scholarships
JIA - Student Recognition Program
JO/IGBAB - Student Education Records **
JOA - Directory Information**