

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)**;
5. A list of personal characteristics that would make the student's identity easily traceable;
6. Other information that would make the student's identity easily traceable.

Prior Consent to Release

Personally identifiable information **will shall** not be released without prior signed and dated consent of the parent, 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 eligible student, MESD **will 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:

- **1.** To personnel within MESD 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 personnel connected with an audit or evaluation of federal or state education programs or the enforcement of or compliance with federal or state legal requirements **of MESD**;

- **5.** To **appropriate parties** determining a financial aid request for the student;
- **6.** To personnel conducting studies for or on behalf of MESD;
- **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;
- **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 initiated;**
- **14. To state and local juvenile justice agencies;**

END OF POLICY

**As 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.

Legal References:

ORS 30.864	
ORS 107.154	OAR 581-021-0220 to 0430
ORS 326.565- 326.591	OAR 581-022-1660
ORS 326.575	
ORS 336.187	
ORS 339.260	

~~Education of the Handicapped Act of 1975, as amended, 20 U.S.C., Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act, P.L. 101-476, 104 Stat 1103 (1990) as amended P.L. 105-17 (1997). [P.L. 94-142 is the well-known “short” reference to this federal legislation.]~~

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 – 1427 (2006).

Family Education Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006); Family Educational Rights and Privacy, 34 C.F. R. Part 99 (2008).

No Child Left Behind Act of 2001, 20 U.S.C. § 7908 (2006).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F. R. Part 98 (2006).

MESD Policy Cross Reference(s):

EH	Electronic Data Management
EH-AR	Electronic Data Management Procedures and Guidelines
GCAB	Personal Communication Devices and Social Media - Staff
IGBAB	Educational Records/Records of Students with Disabilities
IIBGA	Electronic Communications System

IIBGA-AR(1)	Electronic Communications System Procedures and Guidelines
IKF	Graduation Requirements
JA/JAA	Student Policies, Goals and Objectives
JECD	Attendance
JECD-AR	Attendance
JFCEB	Personal Communication Devices and Social Media
JFCEB-AR	Personal Communication Devices and Social Media Procedures and Guidelines
JFE	Pregnant Students
JI	Student Awards and Scholarships
JI-AR	Student Recognition, Awards and Honors
JIA	Student Recognition Program
JO	Education Records
JO-AR	Education Records Management
JOA	Directory Information**