

Title: Personally Identifiable Information and Student Records

Control Information

Control Item	Details
Owner/Curator	Melissa Harris
Document #	PolicyST00044
Supersedes	None
File Location	www.muddycreekcharterschool.org
Board Approval Date	7/17/2014
Consult and Notify	ICP, ED, AA, All Staff, CM

Revision History

Revision	Date	Revision Description	Originator
A	7/17/14	Initial Release	Melissa Harris

Personally Identifiable Information and Student Records

1.1. Objective:

The objective of this policy is the following:

- 1.1.1. To ensure that student educational records and personally identifiable information are kept confidential.
- 1.1.2. To describe the circumstances under which student records and/or personally identifiable information may be shared with other parties.
- 1.1.3. To ensure that staff understand their obligation to uphold the Federal requirements concerning student record confidentiality under The Family Education and Privacy Act of 1974.

1.2. Educational Records

Education records are those records maintained by the school that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers, and his/her parents.

- 1.2.1. The school shall maintain confidential education records of students in a manner that conforms to state and federal laws and regulations.
- 1.2.2. Information recorded on official education records should be carefully selected, accurate, and verifiable, and should have a direct and significant bearing upon the student's educational development.
- 1.2.3. The school shall comply with a request from parents to inspect and review records without unnecessary delay. The school provides to parents of a student with a disability the opportunity at any reasonable time to examine all of the records of the school pertaining to the student's identification, evaluation, educational placement, and free appropriate public education. The school provides parents, on request, a list of the types and locations of education records collected, maintained and used by the school.

1.3. Educational Records and Parental Rights

All parents of students at MCCS have the right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See section 1.6. of this Policy);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the school to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the school's education records policy.

1.4. Definition of 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 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 alone or in combination that would make the student's identity easily traceable;
7. Other information requested by a person whom the school reasonably believes knows the identity of the student to whom the educational record relates.

1.5. Prior Consent to Release

Personally identifiable information and/or student education records will not be released without prior signed and dated consent of the parent.

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, the school will provide a copy of the disclosed record.

1.6. Exemptions to Prior Consent

The school may disclose personally identifiable information and/or education records without prior consent under the following conditions:

1. To personnel within the school 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 authorized representatives U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, 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 and state regulations;
4. To comply with a judicial order or lawfully issued subpoena;
5. For health or safety emergency;
6. By request of a parent;
7. Because information has been identified as “directory information;”
8. To the courts when legal action is initiated;
9. To a court and state and local juvenile justice agencies;
10. 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;
11. To a case worker 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.

The school shall give full rights to education records to either parent, unless the school has been provided legal evidence that specifically revokes these rights.

A copy of this policy and administrative regulations shall be made available upon request by parents.