

## Student Privacy

There are many laws that regulate the sharing of personally identifiable student data, among them

FERPA (Family Educational Rights and Privacy Act) – written permission from parents is necessary to release any student education records unless it is for a legitimate educational purpose or the information is categorized as directory information (which can typically be name, address, phone number, date and place of birth, honors and awards, and dates of attendance – but the scope of directory information is established by the district when it notifies parents each year.

Exemptions from disclosure under the Washington State Public Records Act – personal information in any files maintained for students is exempt from disclosure.

Washington state statutes limiting the disclosure of disciplinary information – personally identifiable information regarding school discipline is not subject to disclosure to OSPI. Information may only be shared with law enforcement and juvenile court officials if the disclosure meets the requirements of FERPA or if pursuant to a subpoena.

HIPAA (Health Insurance Portability and Accountability Act) – protects student health records in the possession of the district that are not necessarily protected under FERPA.

In order to assist locals in addressing concerns about the availability of personally identifiable student data and for what purposes, the following letter may be used to request such information.

Dear Superintendent,

Xxx Association has concerns about how personally identifiable student data may be shared beyond the confines of the school district. As educators, we have a legal obligation to protect the confidentiality of student data and are concerned that the data may be shared with outside parties without our knowledge in ways that could potentially raise questions about who in fact may have shared that data.

In order to protect educators from false allegations of mishandling personally identifiable student data, we need information about how and with whom this data is being shared. To that end, we request answers to the following questions:

- How does the district define “educational purposes” to justify the release of student data to individuals/organizations?
- How does the district define “directory information” that may be shared without notification?
- What partnerships does the district have with outside agencies and organizations that involve the release of personally identifiable, disaggregated student data?
- What contracts does the district have with outside agencies and organizations that requires the release of personally identifiable, disaggregated student data?

Thank you for addressing our concerns and please contact xxx if you need clarification of this request.

Sincerely,

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