

**WAC 132K-122-070 Disclosure of personally identifiable information contained in a student's education records.** (1) The college shall obtain written consent of a student prior to disclosing personally identifiable information other than directory information defined by this chapter from the student's education records: Provided, That consent shall not be required where the disclosure to the student himself or herself: And provided further, That consent shall not be required if the disclosure is

(a) To other officials and teachers within the college having a legitimate educational interest in the education records. For purposes of this section, a college official or teacher shall be said to have a legitimate educational interest whenever he or she

(i) Is acting pursuant to a lawfully established rule policy or procedure, or

(ii) Acting in the educational interest of the student, or

(iii) Requires disclosure in order to provide educational services to the student.

Those having a legitimate education interest shall include but not be limited to the following personnel when acting in their official capacity: The office of the registrar, the office of admissions, the office of financial aid, and the office of the controller.

(b) To officials of another school or school system which the student is enrolled or from which he or she receives educational services or a school or school system in which the student seeks or intends to enroll provided that the records have been requested by officials of the other school or another student.

(2) Following the disclosure of information pursuant to this section, the college shall:

(a) Provide the student upon request with a copy of any educational records which are transferred to another school.

(b) Provide the student upon request with an opportunity for hearing as provided for in WAC [132K-122-060].

(c) To authorized representatives of the Comptroller General of the United States Secretary of the United States Department of Health, Education, and Welfare; the Commissioner of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, or state educational authorities, wherever access to the education records is necessary in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of or in compliance with the federal legal requirements which related to these programs.

(3) In connection with financial aid for which a student has applied or which a student has received: Provided, That personally identifiable information from the education records of the student may be disclosed under this section only as may be necessary for such purposes as

(a) To determine the eligibility of the student for financial aid;

(b) To determine the amount of financial aid;

(c) To determine the conditions which will be imposed regarding the financial aid;

(d) To enforce the terms or conditions of the financial aid.

(4) To certain state and local agencies to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.

(5) To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing vali-

dating or administering predictive tests, administering student aid programs and improving instruction.

(6) To accrediting organization in order to carry out their accrediting function.

(7) To the parents of a dependent student as defined by section 152 of the Internal Revenue Code of 1954.

(8) To comply with the judicial order or lawfully issued subpoena.

(9) To appropriate parties in connection with a health or safety emergency where knowledge of the information is necessary to protect the health or safety of the student or other individuals.

[Order 37, § 132K-122-070, filed 9/2/77.]