

WAC 106-172-735 Exception to consent requirements and record of access. (1) The university may disclose personally identifiable information from the education records of a student without the written consent of the student if the disclosure is to:

(a) University officials, including faculty members, when the information is required for a legitimate educational purpose,

(b) Officials of another school in which the student seeks or intends to enroll, providing a reasonable attempt has been made to notify the student of the transfer of the records at the last known address of the student—except when the transfer of the records is initiated by the student;

(c) Federal or state officials requiring access to education records in connection with the audit or evaluation of federally or state-supported educational programs. Such surveys must be administered in a manner which will not permit personal identification of students by individuals other than those conducting the study, and such information will be destroyed when no longer needed for the purposes for which it was provided;

(d) Persons or organizations providing financial aid, individuals and organizations charged with oversight of the university, or of federal or state programs in which the university participates;

(e) Accrediting organizations in order to carry out their accrediting functions;

(f) Parents of any student under the age of twenty-one, regardless of the student's dependency status, in cases where the student has violated laws or university rules governing alcohol or controlled substances;

(g) Any personal subpoena and/or subpoena duces tecum, when lawfully prepared and served upon the university or an appropriate administrator of the university. The university will notify the student by certified or registered mail to the address or addresses on file with the university of any such subpoena. Such a notice will be sent to the student in advance of compliance with the subpoena;

(h) Persons in an emergency to protect the health and safety of students or other persons according to WAC 106-172-772;

(i) The U.S. Citizenship and Immigration Service under the terms and provisions of immigration law.

(2) Any student may grant permission for use of information about himself/herself by giving specific permission in writing, signed and dated by the student giving such consent to include:

(a) A specification by title of the records released;

(b) The reasons for such release;

(c) The names of the parties to whom such records will be released; and

(d) A written statement indicating that the information cannot subsequently be released in a personally identifiable form to any other party without the written consent of the student involved.

(3) The university shall maintain a record which will indicate all parties, other than those parties specified in WAC 106-172-735

(1)(a), who have been granted access to a student's education records. The record will:

(a) Indicate specifically the legitimate interest that each such party has in obtaining the information.

(b) Be available only to the student, to the employees of the university responsible for maintaining the records, and to the parties identified under WAC 106-172-735 (1)(a) and (d).

[Statutory Authority: RCW 28B.10.528, 28B.35.120(12) and 41 C.R.F. [C.F.R.] 06-50. WSR 06-23-107, § 106-172-735, filed 11/17/06, effective 12/18/06. Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). WSR 94-21-048 (Order CWU AO 75), § 106-172-735, filed 10/12/94, effective 11/12/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. WSR 78-08-011 (Order 39), § 106-172-735, filed 7/11/78; Order 35, § 106-172-735, filed 7/13/77; Order 23, § 106-172-735, filed 7/31/75.]