

WAC 132U-280-030 Release of education records. (1) The college shall not permit access to or release of education records or personally identifiable information contained therein, without the written consent of the student, to any party other than the student.

(2) The college may permit access or release of education records, without student consent, under the following conditions:

(a) College officials, when the information is required for a legitimate educational interest within the performance of their responsibilities to the college, with the understanding that its use will be strictly limited to the performance of those responsibilities. College officials will be defined by college policy and made public through the college's annual Notification of Student Rights under FERPA, which will be published in the college catalog and on the college's public website.

(b) Federal and state officials requiring access to education records in connection with the audit and evaluation or a federally or state-supported education program or in connection with the enforcement of the federal or state legal requirements which relate to such programs. In such cases the information required shall be protected by the federal or state official in a manner which will not permit the personal identification of students and their parents to other than those officials and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation or enforcement of legal requirements.

(c) Agency officials requesting information in connection with a student's application for, or receipt of financial aid, if the information is necessary to determine eligibility, amount or conditions of aid, or to enforce the terms and conditions of aid.

(d) Organizations conducting studies for or on behalf of the college for purposes of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purposes for which it was provided.

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

(f) Any person or entity designated by judicial order or lawfully issued subpoena or court order, upon condition that the student is notified of all such subpoenas or court orders in advance of the compliance therewith; except for subpoenas or court orders that specifically direct the college not to disclose the existence or contents of the subpoena or court order. Any college individual(s) or department(s) receiving a subpoena or court order for education records should immediately notify the college registrar who will contact the college's assigned attorney general for assistance.

(g) Certain items of personally identifiable information, commonly referred to as "directory" information, to parties who demonstrate a legitimate educational interest, as determined by the college. Directory information will be defined by college policy and made public through the college's annual Notification of Student Rights under FERPA, which will be published in the college catalog and on the college's public website.

(h) Officials from the U.S. Department of Defense for the purpose of military recruiting, as authorized under 32 C.F.R. Part 216 (Solomon Amendment), which requires the college to provide "student re-

cruitment directory information" regarding students at least seventeen years of age who are registered for at least one credit. Students who have formally requested the college withhold "directory information" are excluded.

(i) Any other officials with legitimate educational interest as authorized under C.F.R. 99.31 and identified via the annual Notification of Student Rights under FERPA, which is published in the college catalog and on the college public website.

(3) In cases where records are made available without student release as permitted by subsection (2)(b), (c), (d), (e), (f), and (i) of this section, the college shall maintain a record kept with the education record released which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the legitimate interest of the investigating party. Releases in accordance with subsection (2)(a), (g), and (h) of this section need not be recorded.

(4) Where the consent of a student is obtained for the release of education records, it shall be in writing, signed and dated by the student giving such consent, and shall include:

(a) A specification of the records to be released;

(b) The reasons for such release; and

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

(5) Personally identifiable education records released to third parties, with or without student consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally identifiable form to any other parties without obtaining consent of the student.

(6) Students may direct the college to withhold "directory" information, referred to in (2)(g) and (h), through written notification to the college registrar at any time throughout the student's enrollment at the college.

(7) Information from education records may be released by a college official to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other person(s).

(8) The college registrar is the official custodian of education records and is the only official who can issue an official transcript of the student's academic record.

[Statutory Authority: RCW 28B.50.130, 28B.50.140. WSR 07-15-033, § 132U-280-030, filed 7/12/07, effective 8/12/07; WSR 88-15-005 (Order 88-03), § 132U-280-030, filed 7/8/88.]