

WAC 72-280-011 Definitions. As used in this chapter:

(1) "Directory information" means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the student's name, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas, honors, and awards received, and the most recent school or program attended.

(2) "Disclosure" means to permit access to or the release, transfer, or other communication of education records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written, or electronic means.

(3) "Education records" means the type of records covered under the definition of "education records" in 34 C.F.R. Part 99 (regulations implementing FERPA).

(4) "Eligible student" means a student who has reached 18 years of age. When a student becomes an "eligible student," the rights accorded to, and the consent required of, parents under this chapter, transfer from the parents to the student.

(5) "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

(6) "Party" means an individual, agency, institution, or organization.

(7) "Personally identifiable information" includes, but is not limited to, the student's name; the name of the student's parent or other family member; the address of the student or student's family; a personal identifier, such as the student's Social Security number or student number or biometric records; a list of personal characteristics or other information that would make it possible to identify the student with reasonable certainty.

(8) "Student" means any individual who is or has been in attendance at the school and regarding whom the school maintains education records.

(9) "Legitimate educational interest" exists if the school official needs to have access to the record in order to fulfill the official's professional responsibility, perform appropriate tasks that are specified in their position description or contract agreement, perform a function related to a student's education or discipline, perform a service or benefit relating to the student or student's family, such as health education, counseling, advising, or student employment, or maintain safety and security.

(10) "School official" includes a person employed by the school as a teacher, administrator, supervisor, counselor, support or clerical staff, human resources staff, information systems specialist, school security personnel, a person appointed to the board of trustees, a person with whom the school has contracted to perform a service to or on behalf of the school (such as an attorney, hearing officer, auditor, medical consultant, or therapist), a parent or student serving on an official committee or assisting another school official in performing their tasks, or other party to whom the school has outsourced institutional services or functions.

(11) "Participating agency" means any school district, agency or institution which collects, maintains, or uses personally identifiable information, or from which information is obtained in implementing chapters 392-172A and 72-171 WAC (rules for the provision of special

education), and includes the OSPI, school districts and other public agencies.

[Statutory Authority: RCW 72.40.022, 34.05.220, 34.05.250, 28A.155.010, and 42.56.100. WSR 24-16-108, § 72-280-011, filed 8/5/24, effective 9/5/24. Statutory Authority: RCW 72.40.022. WSR 16-13-068, § 72-280-011, filed 6/13/16, effective 7/14/16. Statutory Authority: RCW 72.40.022 and 20 U.S.C. §§1232(g), 1412 (2)(D), 1414 (a)(1)(B) and 1417(c). WSR 90-16-010, § 72-280-011, filed 7/19/90, effective 8/19/90.]