

**FERPA Provisions**

A subpoena is generally required to release student information to a third party without prior written consent. Without a subpoena, warrant, or parental consent, only directory information may be released, subject to the student/parent's privacy election.

Galveston County  
Sheriff's  
Department

Personally identifiable information from a student's educational records may be disclosed pursuant to FERPA to the Galveston County Sheriff's Department to the extent necessary to enable its employees with a legitimate educational interest in such information to perform duties pursuant to the Interlocal Government Agreement for School Liaison Officer Program between the District and the Galveston County Sheriff's Department.

Juvenile Service  
Provider  
Exception

The District may disclose personally identifiable information from the educational records of a student without the consent required by FERPA if:

1. The disclosure is to state and local officials or authorities to whom this information is specifically allowed to be reported or disclosed, pursuant to state statute adopted after November 19, 1974; and
2. The state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released.

The juvenile service provider that receives the confidential information from the District shall certify in writing that the provider has agreed not to disclose the information to a third party, other than another juvenile service provider, without the prior written consent of the parent of the student. The provider shall use the confidential information only to verify the identity of a student involved in the juvenile justice system and to provide delinquency prevention or treatment services to the student. [See GRAC(EXHIBIT A)].

Health or Safety  
Emergency  
Exception

The District may disclose personally identifiable information from the educational records of a student without the consent required by FERPA to appropriate parties to address a specific and articulable threat of a health or safety emergency when such disclosure is necessary to protect the health or safety of the student or other individuals. This exception is limited to the period of the emergency and does not allow for a blanket release of personally identifiable information from a student's education records. Rather, these disclosures must be related to a significant and articulable emergency, such as an impending natural disaster, a terrorist attack, a campus threat, or the outbreak of an epidemic disease. [See FL(LEGAL)]

A District official must make this determination on a case-by-case basis, taking into account the totality of the circumstances pertaining to a threat to the health or safety of a student or others. If the District determines there is an articulable and significant threat to the health or safety of a student or other individuals and that one or more third parties (e.g., law enforcement officials, public health officials, trained medical personnel, parents, etc.) need personally identifiable information from a student's educational records in order to protect the health or safety of the student or other individuals, it may disclose that information to the appropriate parties without consent

When the District makes a disclosure under the health or safety exception, it must record in the student's education records the articulable and significant threat that formed the basis for the disclosure, and the parties to whom the information was disclosed. [See GRAC(EXHIBIT B)].

**Definitions**

Educational  
Records

"Educational records" means records in the possession of the District that contain information relating to a student, including information relating to the student's:

1. identity,
2. special needs,
3. educational accommodations,
4. assessment or diagnostic test results,
5. attendance records,
6. disciplinary records,
7. medical records, and
8. psychological diagnoses.

Juvenile Service  
Provider

"Juvenile service provider" means a governmental entity that provides juvenile justice or prevention, medical, educational, or other support services to a juvenile. The term includes:

A state or local juvenile justice agency that has custody or control over juvenile offenders;

The Department of Aging and Disability Services;

The Department of State Health Services;

The Department of Assistive and Rehabilitative Services;

The Health and Human Services Commission;

The Department of Public Safety;  
The Texas Education Agency;  
An independent school district;  
A juvenile justice alternative education program;  
A charter school;  
A local mental health or mental retardation authority;  
A court with jurisdiction over juveniles;  
A district attorney's office;  
A county attorney's office; and  
A children's advocacy center established under Family Code 264.402.

Student

"Student" means a person who is registered or in attendance at a primary or secondary educational institution and is younger than 18 years of age.

**Confidentiality of Information**

Family Code 58.0051 does not affect the confidential status of the information being shared. The information may be released to a third party only as directed by a court order or as otherwise authorized by law. Personally identifiable information disclosed to a juvenile service provider under this section is not subject to disclosure to a third party under Government Code Chapter 552.