

**281—5.14(256) Personally identifiable information.** This rule describes the nature and extent of personally identifiable information which is collected, maintained, and retrieved by the agency by personal identifier in record systems as defined in rule 5.1(256). For each record system, this rule describes the legal authority for the collection of that information, the means of storage of that information and indicates whether a data processing system matches, collates, or permits the comparison of personally identifiable information in one record system with that in another record system. The record systems maintained by the agency are:

**5.14(1) *Staff records of the basic educational data survey.*** Records of employees of area educational agencies, merged area schools, and approved public and private schools, whose positions require an Iowa teacher's certificate and contain such personally identifiable information as name, Iowa teacher's certificate number, and social security number. Other data collected are date of birth, teaching experience, sex, current position and assignments. This information is collected pursuant to Iowa Code subsection 256.9(18) and 281—subrule 11.1(4), and is stored on paper and in an automated data processing system. Data processing systems match, collate, and compare the personally identifiable information of the staff records with that of teacher certification records.

**5.14(2) *Driver education records.*** Driver education records contain personally identifiable information such as name, driver's license number, and Iowa teacher's certificate number collected pursuant to Iowa Code section 321.178 and 281—Chapter 26, and are stored on paper and in an automated data processing system. Data processing systems match, collate, and compare the personally identifiable information of the driver education records with that of the teacher certification records and BEDS staff records.

**5.14(3) *Bus driver permit records.*** Bus driver permit records contain personally identifiable information such as name, social security number, driver's license number, and bus driver's permit number collected pursuant to Iowa Code sections 321.376 and 285.11(10) and 281—Chapter 43, and are stored on paper and in an automated data processing system. Data processing systems match, collate, and compare the personally identifiable information of the bus driver permit numbers with that of bus accident records.

**5.14(4) *Bus accident records.*** Bus accident records contain one item of personally identifiable information: the driver's social security number collected pursuant to Iowa Code section 321.376 and 281—Chapter 43 and are stored on paper and in an automated data processing system. Data processing systems match, collate, and compare the personally identifiable information of the bus accident records with that of bus driver permit records.

**5.14(5) *Teacher certification records.*** Teacher certification records contain information about each individual issued an Iowa teacher's certificate. These records contain such personally identifiable information as name, teacher's certificate number and social security number. Other data collected are date of birth, type and source of degree, completion of mandatory postgraduation coursework, experience, and the subjects and grade level authorized to teach. This information is collected pursuant to Iowa Code sections 256.7(3) and 256.7(5), Iowa Code chapter 260, and 281—Chapters 84 to 88 and 73 to 75, and is stored on paper and in an automated data processing system. Data processing systems match, collate, and compare the personally identifiable information of the teacher certification records with that of BEDS staff records, driver education records, and career education records.

**5.14(6) *Exceptional child survey.*** These records are exempt from disclosure under Iowa Code subsection 22.7(1). The information gathered by this system relates to children and youth identified as handicapped and in need of special education. Each student record contains a code derived from the child's name and birth date. The coded identifier is the personally identifiable information. Information in each record pertains to the child's handicapping condition and the special education instructional and support-related services provided to the child. Each record may also contain the child's teacher's name and teaching certificate number. This information is collected pursuant to Iowa Code chapter 256B and 34 CFR, Parts 300 and 301 (1986). Procedures for protection of and access to this information are set forth in this state's plan under the Education of All the Handicapped Act, 20 U.S.C. §1401 et seq. These policies and procedures are in compliance with the Family Educational Rights and Privacy Act of 1974

(34 CFR, Part 90) and 34 CFR sections 300.129, 300.560-576, Confidentiality of Information, Part B, EHA, as amended (1986).

This information is stored in an automated data processing system that does not match, collate, or compare the personally identifiable information of the exceptional child survey records with the personally identifiable information of other records systems.

**5.14(7) *Rule exception requests and adjusted program reports.*** Information gathered by this form relates to excepting the rules of special education in certain circumstances in order to provide a program of educational services to an identified handicapped child or children. These rule exception requests and adjusted program reports could contain personally identifiable information on pupils involved in the special circumstance.

This information is collected pursuant to Iowa Code chapters 256B and 273 and IAC 281—subrules 41.30(1) and 41.30(2). This information is stored on paper and is not on any automated data processing system. All personally identifiable information gathered through this effort is confidential under the provisions of 34 CFR, Parts 90 and 300 (1986) and Iowa Code section 22.7(1).

**5.14(8) *Department approval—special education placements.*** These are requests for approval to place a handicapped pupil in an out-of-state educational program and would contain personally identifiable information such as the pupil's name, birth date, residence, handicapping condition and other information relative to the identified special education needs of the pupil. Response to these requests for department approval would contain similar information.

This information is collected pursuant to Iowa Code subsection 273.3(5) and is stored on paper. Data processing systems do not match, collate, or compare the personally identifiable information with other records. All personally identifiable information gathered through this effort is confidential under the provisions of 34 CFR, Parts 90 and 300 (1986).

**5.14(9) *Chapter I, ECIA, state-operated programs for the handicapped.*** Local education agency student transfers. Information gathered by this system is related to handicapped children who were served in the state-operated program for the handicapped, counted under the provisions of 34 CFR 302 (1986), and who have subsequently exited that program and enrolled in a special education program in a local education agency within the state. The personally identifiable information consists of the child's name, birth date, disability, and the local education agency to which the child has exited. This data is collected pursuant to 34 CFR, Part 302 (1986), State-Operated Programs for the Handicapped. This data is collected and stored on paper and is not automated. Data processing systems do not match, collate, or compare the personally identifiable information of other record systems. This data is utilized to determine if an LEA is eligible to apply for Chapter I funds under the provisions of 34 CFR, Part 302 (1986).

**5.14(10) *Special education complaint management system.*** Information gathered in this record system is utilized as documentation of concerns or complaints related to special education programs and services to handicapped children as required under the provisions of 34 CFR, Part 300 (1986). Personally identifiable information includes the student's name, handicapping condition, parent's name, and the nature of the concern or complaint being registered. The information is gathered and stored on paper and is not in an automated data processing system. Data processing systems do not match, collate, or compare personally identifiable information from these records with personally identifiable information of other records systems. Personally identifiable information gathered by this system is confidential under the provisions of 34 CFR, Parts 90 and 300 (1986).

**5.14(11) *Deaf-blind student registry.*** This data collection system gathers information related to deaf-blind children and youth in Iowa. Personally identifiable information items would include the child's name, birth date, location, and services being provided to the child. Information is utilized to plan programs and services for all deaf-blind children and their families in the state. This information is gathered pursuant to the provisions of 34 CFR, Part 307 (1986). The system is stored on paper and is not on any state automated data processing system. Data processing systems do not compare, collate or match personally identifiable information in this system with personally identifiable information in other data systems. Personally identifiable information gathered and maintained by this system is confidential under the provisions of 34 CFR, Parts 90 and 300 (1986).

**5.14(12) Career education records.** Career education records contain personally identifiable information such as the names and certificate numbers of staff members employed to conduct career education programs. Other data collected concern approvals, reimbursements, enrollments, expenditures, and student characteristics, and completion status relating to career education programs. This information is collected pursuant to Iowa Code chapter 258 and is stored on paper and in an automated data processing system. Data processing systems match, collate, and compare the personally identifiable information of career education records with that of teacher certification records.

**5.14(13) Job Training Partnership Act (JTPA) records.** Job Training Partnership Act (JTPA) records contain personally identifiable information such as the name and social security number of each JTPA client. Other data collected include training progress, profits, and expenditures. This information is collected pursuant to 29 U.S.C. 1603 §203 and 20 CFR, Part 630 (1986), and is stored on paper and in an automated data processing system. Data processing systems do not match, collate, or compare the personally identifiable information of JTPA records with that of other record systems.

**5.14(14) Drinking driver course records.** These records contain such personally identifiable information as name, address, birth date and social security number. Other data collected are the driver's pre- and post-test scores. This information is collected pursuant to Iowa Code section 321J.12 and is stored on paper and in an automated data processing system. Data processing systems in this agency do not match, collate, or compare the personally identifiable information of drinking driver records with other record systems.

**5.14(15) Robert C. Byrd honors scholarships.** Records contain personally identifiable information about applicants for these scholarships including name, social security number, home address, and telephone number. Other data are parents' names and applicant's scholastic achievements, including grades. Information is collected in order to determine eligibility for the Byrd scholarships, funded under 20 U.S.C. 1070d-31, et seq. Information is stored on paper and in an automated data processing system. Data processing systems do not match, collate, or compare personally identifiable information of these records with that of other record systems. These records or portions may be declared confidential under Iowa Code section 22.7(1).

**5.14(16) Personnel records.** The agency has records concerning individual agency employees, some of which may contain confidential information under Iowa Code section 22.7(11) and other legal provisions. Personnel records may be subject to the rules of the department of personnel.

**5.14(17) Special project applications.** Applications from public school districts may contain personally identifiable information about qualifications of project staff members. No personally identifiable student data are collected. Information is stored on paper and in an automated data processing system. This information is collected pursuant to Iowa Code sections 442.31 to 442.35.

**5.14(18) Grants/awards/projects.** Records of persons or agencies applying for grants, awards, or funds for projects may contain information about individuals collected pursuant to specific federal or state statutes or regulations. This information may be stored in an automated data processing system.

**5.14(19) Phase I, II, and III records.** These records contain the names, social security numbers, and salaries of teachers in districts applying for phase funding. This information is collected pursuant to Iowa Code chapter 294A and is stored on paper and in an automated data processing system which may match, collate, or compare personally identifiable information in these records with records in another record system.

**5.14(20) Appeal records.** These records contain data supplied by persons or entities appealing to the agency and may contain personally identifiable information such as student name, age, scholastic and disciplinary record, and status as regular or special education pupil. This information is collected pursuant to Iowa Code chapters 256B, 260, 275, 280, 282, 285, and 290 and is stored on paper and is not in an automated data processing system. The personally identifiable information is not matched, collated, or compared with data in other record systems.

**5.14(21) Teacher certification decisions.** These licensing decisions contain data such as teacher's name and facts surrounding disciplinary action (suspension or revocation) taken by the state board of education. This information is collected pursuant to Iowa Code chapters 272A and 260 and 281—Chapter 7.

**5.14(22) *Litigation files.*** These files or records contain information regarding litigation or anticipated litigation, which includes judicial and administrative proceedings. The records include briefs, depositions, docket sheets, documents, correspondence, attorneys notes, memoranda, research materials, witness information, investigation materials, information compiled under the direction of the attorney, and case management records. The files contain materials which are confidential as attorney work product and attorney-client communications. Some materials are confidential under other applicable provisions of law or because of a court order. Persons wishing copies of pleadings and other documents filed in litigation should obtain these from the clerk of the appropriate court which maintains the official copy.