

The U.S. Department of Education’s Student Privacy Policy Office (SPPO) released the [*FERPA & Corona Virus 2019 \(COVID-19\) Frequently Asked Questions \(FAQs\)*](#) in March 2020. The FAQ answers the most common questions surrounding the release of student personally identifiable information (PII) during the COVID-19 pandemic. The FAQ also provides several example scenarios to help educational agencies make decisions on whether they can or should disclose student PII.

Some key points taken from the FAQ are listed below.

- If local public health authorities determine that a public health emergency, such as COVID-19, is a significant threat to students or other individuals in the community, an educational agency or institution in that community may determine that an emergency exists as well and disclose student PII to the appropriate official(s).
- Within a reasonable period of time after a disclosure is made under the emergency exception, an educational agency or institution 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 information was disclosed.
- Educational agencies or institutions may release information about a student’s illness if it is in a non-personally identifiable information form. The agency or institution must make a reasonable determination that a student’s identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.
- Educational agencies or institutions may NOT disclose student PII to the media even if a health or safety emergency exists. The media are not considered “appropriate parties.”
- In general, educational agencies or institutions cannot identify a student as having COVID-19 to other parents or students. There may be a rare situation during a health or safety emergency, however, in which schools may determine (in conjunction with health, law enforcement, or other such officials) that parents of students or eligible students are appropriate parties to whom to disclose identifiable information about a student with COVID-19.