



## Ohio Administrative Code

### Rule 3332-1-29 Valid reasons for accessing confidential personal information.

Effective: November 1, 2011

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Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this rule contains a list of valid reasons, directly related to the board's exercise of its powers or duties, for which only employees of the board may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the board to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the agency maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) Licensure, certification or agent permit processing, including application review and verification;



- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;
- (13) Human resource matters including hiring, promotion, demotion, discharge, salary or compensation issues, leave requests or issues, timesheet approvals or issues and payroll processing;
- (14) Complying with an executive order or policy;
- (15) Complying with a board policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or
- (16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the board, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

(1) Employees or contractors conducting investigations or onsite school reviews may review CPI of individuals who are subject to investigation for alleged misconduct that may result in school discipline. Such employees or contractors may review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation. CPI may be reviewed by such employees, contractors, and members of the board in investigative matters that become the subject of administrative hearings.

(2) Employees or contractors conducting investigations or reviews of closed schools may review CPI of individuals contained in closed school records for the purpose of locating the individuals or for the purpose of determining eligibility for tuition refunds or student loan discharges.