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SALEM, OREGON

November 29, 1988

Mr. Darrell W. Martin
3617 Carmelle Ct., N.E.
Salem, OR 97305

Ms. Caroline Kerl
Legal Advisor
Oregon State University
AdS A600
Corvallis, OR 97331

Re: **Petition for Public Records Disclosure Order; Oregon State University Records**

Dear Mr. Martin and Ms. Kerl:

This letter is the Attorney General's order on Mr. Martin's petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. The petition, which we received on November 22, 1988, asks the Attorney General to direct Oregon State University officials to disclose the grade sheet that was posted for the winter term course entitled "Methods Practicum SED 411." We understand the petition to refer to the winter 1988 term. The petition states that Mr. Martin does not want students' names or other personally identifying information, just "the sheet that was posted for review." For the reasons set forth below, we grant the petition in part, and deny it in part.

In conferring with officials at Oregon State University, we ascertained that the University provides a procedure whereby instructors may choose to inform students of their grades through a posting of the grade sheet. The University registrar provides instructors with a final class list. That list includes, on the left side, a list of names, Social Security numbers, and grades, and on the right, separated by perforation, a list of grades next to student identification numbers. The latter list can be separated at the perforation

from the first list and posted. However, instructors are not required to post grades, and may provide the information to students through other means. In this instance, contrary to Mr. Martin's apparent belief, the instructor did not post the grades for the Methods Practicum SED 411. That mistaken belief caused confusion surrounding Mr. Martin's request for records.

The University does have a list showing the grades of students in the SED 411 course, which contains the information described above. We believe that to be the list Mr. Martin wants to obtain. Under state and federal law, however, the University must keep individually identifiable student records confidential. ORS 351.070; 20 USC § 1232g (Buckley Amendment). These prohibitions on disclosure are incorporated in the Public Records Law. See ORS 192.502(7), (8). Under these laws, the students' names, Social Security numbers, and student identification numbers all must remain confidential; only the grades themselves may be disclosed.

For these reasons, we order Oregon State University to delete from the class list the exempt information, ORS 192.505, and to disclose to Mr. Martin the grades set forth on that list. Oregon State University has seven days in which to comply with this order. ORS 192.450(2).

Very truly yours,

James E. Mountain Jr

JAMES E. MOUNTAIN, JR.
Special Counsel to the
Attorney General

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