



FERPA Tutorial

DIRECTORY INFORMATION

FERPA permits public disclosure of directory information without the student's consent unless the student has requested that directory information be withheld.

What is Directory Information?

Directory information is information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. FERPA requires each institution to define its directory items.

At Louisiana College, the following information is considered directory information:

- Name
- Local Address/Phone
- Home Address/Phone
- Email Address(es)
- Date and Place of Birth
- Degrees and Awards/Honors Received and Dates
- Dates of Attendance (Current and Past)
- Full- or Part-Time Enrollment Status
- Participation in Officially Recognized Activities
- Participation in Officially Recognized Sports
- Weight/Height of Members of Athletic Teams
- Most Recently Attended Educational Institute
- Major Field of Study
- Classification

All other information may not be released without written consent of the student. Any information not specifically listed as directory information is considered non-directory information. *Grades, Social Security numbers, Ethnic Backgrounds and Student Schedules may not be released to anyone other than the student, and NEVER over the phone.*

A student's directory information may be released to an inquirer, outside the University, unless the student specifically requests that directory information be withheld. However, FERPA does not require that directory information be released—it is at the discretion of the institution. It is Louisiana College's practice not to provide mailing lists to third parties.

When is Directory Information Not Really Directory Information?

It is important to also understand the concept of "implicit disclosure." An implicit disclosure may occur when a list consists only of directory information but the list itself by definition reveals non-directory information. For example, a list of names and email addresses of all students who have a particular grade-point average reveals the students' GPAs. Likewise, a class list containing names and email addresses of the students reveals class enrollments. Since neither grade-point average nor class enrollment are directory items, releasing these lists without prior consent of the students constitutes a FERPA violation, unless it is released to college officials in order to fulfill his or her work-related duties.

Who is considered a school official?

According to FERPA, a school official is defined as:

...a teacher, school principal, president, chancellor, board member, trustee, registrar, counselor, admissions officer, attorney, accountant, human resources professional, information systems specialist, and support or clerical personnel.

FERPA (§ 99.31(a)(1)(i)(B)) permits schools to outsource institutional services or functions that involve the disclosure of education records to contractors, consultants, volunteers, or other third parties provided that the outside party:

- Performs an institutional service or function for which the agency or institution would otherwise use employees;
- Is under the direct control of the agency or institution with respect to the use and maintenance of education records;
- Is subject to the requirements in § 99.33(a) that the personally identifiable information (PII) from education records may be used only for the purposes for which the disclosure was made, e.g., to promote school safety and the physical security of students, and governing the redisclosure of PII from education records; and
- Meets the criteria specified in the school or local educational agency's (LEA's) annual notification of FERPA rights for being a school official with a legitimate educational interest in the education records.

What constitutes a "legitimate educational interest"?

Identifying a person as a "school official" does not automatically grant him or her unlimited access to education records. The existence of a legitimate educational interest may need to be determined on a case-by-case basis. The Louisiana College statement of what constitutes legitimate educational interest includes substantiation such as the following:

- The information requested is necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement.
- The information is to be used within the context of official agency or school business and not for purposes extraneous to the official's areas of responsibility or to the agency or school.
- The information is relevant to the accomplishment of some task or to a determination about the student.
- The information is to be used consistently with the purposes for which the data are maintained.

Having access to education records or the information within the records does not constitute authority to share this information with anyone not given access through the written policy.

How Does a Student Request that Directory Information be Withheld?

The student must complete and sign the Request to Withhold Directory Information form to keep directory information confidential. At Louisiana College, we call this "requesting confidentiality" and we mark the student's record as "Confidential." The signed form must be taken in person, or mailed along with a copy of photo identification, to the campus Registrar's office.

A request to withhold directory information results in the following:

- Student name/address is excluded from future printed telephone directories and other similar printed material, such as commencement programs.
- Requests filed shall be effective only with respect to the inclusion in printed materials prepared after the receipt of the request.
- Enrollment and degree awarded inquiries from third parties, including potential employers and insurance companies, will neither receive a confirmation of enrollment nor graduation.
- No Information will be released to any person(s) on the telephone or via email.
- Address changes must be made by the student only, in person at the campus Registrar's office, or by mailing a written request along with a copy of photo identification to any campus Registrar's office.

It is important to note that a student's request for confidentiality does not permit the student to be anonymous in the classroom (including an online "classroom") nor to impede or be excluded from classroom communication.

How Does a Student Remove A Request to Withhold Directory Information?

A request to withhold directory information is in effect permanently, even if the student is no longer enrolled at Louisiana College, and can only be removed by the student in writing.

The student must complete and sign the Request to Release Directory Information form. The signed form may be taken in person, or mailed along with a copy of photo identification, to any campus Registrar's office. If an email address is provided, notification will be provided to the student when the directory hold is released.

How may a student request or review his or her educational records?

Under FERPA, a school must provide an eligible student with an opportunity to inspect and review his or her education records within 45 days following its receipt of a request. A school is required to provide an eligible student with copies of education records, or make other arrangements, if a failure to do so would effectively prevent the student from obtaining access to the records. A case in point would be a situation in which the student does not live within commuting distance of the school.

A school is not generally required by FERPA to provide an eligible student with access to academic calendars, course syllabi, or general notices such as announcements of specific events or extra-curricular

activities. That type of information is not generally directly related to an individual student and, therefore, does not meet the definition of an education record.

Under FERPA, a school is not required to provide information that is not maintained or to create education records in response to an eligible student's request. Accordingly, a school is not required to provide an eligible student with updates on his or her progress in a course (including grade reports) or in school unless such information already exists in the form of an education record.

How may a student request an amendment to his or her educational records?

Under FERPA, an eligible student has the right to request that inaccurate or misleading information in his or her education records be amended. While a school is not required to amend education records in accordance with an eligible student's request, the school is required to consider the request. If the school decides not to amend a record in accordance with an eligible student's request, the school must inform the student of his or her right to a hearing on the matter. If, as a result of the hearing, the school still decides not to amend the record, the eligible student has the right to insert a statement in the record setting forth his or her views. That statement must remain with the contested part of the eligible student's record for as long as the record is maintained.

However, while the FERPA amendment procedure may be used to challenge facts that are inaccurately recorded, it may not be used to challenge a grade, an opinion, or a substantive decision made by a school about an eligible student. FERPA was intended to require only that schools conform to fair recordkeeping practices and not to override the accepted standards and procedures for making academic assessments, disciplinary rulings, or placement determinations. Thus, while FERPA affords eligible students the right to seek to amend education records which contain inaccurate information, this right cannot be used to challenge a grade or an individual's opinion, or a substantive decision made by a school about a student. Additionally, if FERPA's amendment procedures are not applicable to an eligible student's request for amendment of education records, the school is not required under FERPA to hold a hearing on the matter.

More information can be found at the U.S. Department of Education website.