

Administrative Regulation

Release Of Directory Information

AR 5125.1

Students

Definition

Note: Education Code 49073 mandates that school districts adopt a policy identifying those categories of directory information, as defined in Education Code 49061, which may be released. Directory information is also defined in 34 CFR 99.3, the implementing regulations to the Family Educational Rights and Privacy Act (FERPA). As amended by 73 Fed. Reg. 237, 34 CFR 99.3 clarifies that a district may not designate a student's social security number or other student identification number as directory information.

Note: Pursuant to Education Code 49063, the district must annually notify parents/guardians and eligible students, in writing, of their rights related to student records, including the categories of records considered to be "directory information." See also AR 5125 - Student Records. Therefore, the following paragraph should be modified to reflect those categories of information defined by the district as "directory information"; those items the district does not intend to release as directory information should be deleted.

Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Information listed below is only used for the district directory given to all parents, classroom use, or released to Student Connected Organizations or School Sponsored activities, ie., GSF, MPF.

District Directory information includes: (34 CFR 99.3; Education Code 49061)

1. Student and Parent/Guardian Names
2. Address
3. Telephone numbers
4. Email address

The directory information (address, email, telephone numbers) will not be posted on district or teacher websites.

Information that may be included for the news media or district or teacher website:

1. Names
2. Degrees and awards received (such as - honor roll lists)
3. Photographs (such as - band pictures)

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (34 CFR 99.37; Education Code 49063, 49073)

(cf. 5125 - Student Records)
(cf. 5145.6 - Parental Notifications)

Parent/Guardian Consent

Note: Education Code 49073 specifies that parents/guardians may request that their child's directory information not be released (an "opt-out" process). According to a letter from the USDOE to California's Superintendent of Public Instruction, it is a "misapplication" of 20 USC 7908 for a district to establish an "opt-in" procedure specifically for military recruiters whereby a district would not provide information to military recruiters unless a parent/guardian has provided affirmative consent. According to the letter, a district that establishes an "opt-in" procedure for military recruiters would risk having its federal ESEA funds withheld.

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (20 USC 1232g, 7908; Education Code 49073)

Note: 34 CFR 99.37 provides that a district may disclose directory information about a former student without complying with the notice and opt-out requirements. However, as amended by 73 Fed. Reg. 237, if a parent/guardian opted out of the disclosure of directory information while his/her child was in attendance, then the district must continue to honor that request after the student has left the district, unless the opt-out request is rescinded.

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)

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**Gravenstein Union School District
Sebastopol, CA**