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SUPERINTENDENT OF
PUBLIC INSTRUCTION

TO: LEA and ISD Superintendents, Public School Academy Directors
and Authorizers

FROM: Jeremy M. Hughes, Ph.D.
Deputy Superintendent/Chief Academic Officer

DATE: January 4, 2006

**SUBJ: ACCESS TO STUDENT DIRECTORY
INFORMATION**

The Department and State Board of Education members have received complaints this year from parents about the release of student directory information. There seems to be confusion about when, how often, and how to request the removal of a student's directory information from the list released to military recruiters and others. This memo serves as a reminder of the requirements of the law and a request to provide as much clarification to parents as possible.

No Child Left Behind (Section 9528) requires student directory information to be made available to military recruiters and institutions of higher education. Under the Family Education Rights and Privacy Act (FERPA) a student or his/her parents may request that information not be released without prior written consent. Here is the description of the FERPA requirements:

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

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The U.S. Department of Education has published two pieces of guidance about the Family Education Rights and Privacy Act to assist school districts. The links to guidance are found here:

Frequently Asked Questions about FERPA:

<http://www.ed.gov/policy/gen/guid/fpco/faq.html>

Model Notice for Directory Information:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/mndirectoryinfo.html>

The Michigan Department of Education (MDE) Student Issues unit has also published information about parental rights, including information about FERPA in a fact sheet on the MDE website:

http://www.michigan.gov/documents/parental_rights_122553_7.pdf

Some of the confusion that prompted parent complaints seems to center on the effect of blocking a student's directory information. Several examples are given in the Model Notice of the types of information that could be considered directory information: honor roll recognition, the annual yearbook, graduation programs, record of sports participation. Directory information can be released to any number of individuals or organizations wishing to make direct contact with a student, including military recruiters and colleges. Because of the difficulty of keeping a multitude of mailing lists, most schools will honor a parent or student's blocking request by blocking the release to any and all requesters and will not allow parents or students to be selective. Parents and students will thus need to know if blocking the release of information for one purpose will result in a student's information being blocked for all purposes.

Thank you for your assistance in clarifying the requirement to parents and students. If you have questions about this information, please contact me at 517-335-0011 or hughesj@michigan.gov or contact MaryAlice Galloway at 517-241-4185 or gallowaym@michigan.gov.