

Proposed Modifications to Drake’s Definition of “Directory Information”

Submitted by Ryan Zantingh, Director of Financial Aid, March 4, 2019

Introduction

The following is a proposal to modify Drake’s definition of *directory information* as it applies to the Family Educational Rights and Privacy Act of 1974 (FERPA). According to the U.S. Department of Education¹, “FERPA defines ‘directory information’ as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed...A school may disclose ‘directory information’ to third parties without consent if it has given public notice of: 1) the types of information which it has designated as ‘directory information’, 2) the parent's or eligible student's right to restrict the disclosure of such information, and 3) the period of time within which a parent or eligible student has to notify the school in writing that he or she does not want any or all of those types of information designated as ‘directory information’.

This proposal has been informed by input from multiple departments across campus and legal counsel. Additionally, it has been reviewed and improved by CAAD and Dean’s Council.

Background

Drake’s definition of what it considers to be *directory information* has not been formally reviewed since May 2002. Since that time, much has changed with regard to the University’s systems and practices, the data it collects and stores about students, and public perceptions about data privacy. Fruitful conversations with stakeholders across campus have led to growing consensus that modifications to the current wording are needed.

Proposed Changes

The proposed changes to Drake’s definition of *directory information* and rationale for each are outlined below. These proposed changes could be implemented for the 2019-2020 academic year. [Appendix A](#) contains Drake’s definition of *directory information* in its entirety, with proposed changes included.

Change: “Drake University ~~will~~**may** release to the public the following "directory information" about each individual student without prior consent unless otherwise timely notified by the student:”

Rationale: In practice, Drake is judicious about sharing information—even *directory information*—with 3rd parties. This proposal clarifies that Drake University *may* release directory information to the public, rather than conveying this is a certainty.

Change: “Student's name, ~~local address~~ **addresses (except residence hall room number)**, telephone number and email address”

Rationale: In practice, Drake releases (when appropriate) several different addresses, including local address, billing address, home address, and recruiting address. In many cases these addresses are the same, but sometimes they are distinct. Students may not understand all of the different address

¹ <https://www2.ed.gov/policy/gen/guid/fpco/faq.html>

types or the way that Drake uses them. This proposed change to wording accommodates current practice, and makes this disclosure more transparent and understandable to students.

Change: Degrees and awards received (including names of Drake-funded scholarships)

Rationale: Each year the Advancement Office provides scholarship donors with basic *directory information* about students who receive their scholarships. However, doing so implies that a student has received that donor's scholarship. Unless Drake chooses to seek student consent for this purpose separately, legal counsel has suggested that Drake explicitly include the names of Drake-affiliated scholarships as "awards received" (as is common practice at many other colleges and universities).

Appendix A

Directory Information

Drake University ~~will~~may release to the public the following "directory information" about each individual student without prior consent unless otherwise timely notified by the student:

1. Student's name, ~~local address~~ addresses (except residence hall room number), telephone number and email address
2. Parent's name, address and telephone number
3. Date and place of student's birth
4. College of enrollment
5. Curriculum (major field of study)
6. Year in School
7. Participation in recognized organizations, activities and sports
8. Weight and height of members of athletic teams
9. Degrees and awards received (including names of Drake-funded scholarships)
10. The most recent previous educational institution attended by the student.
11. Job title(s) and Date(s) of employment held while enrolled as a student.

Any student not wanting the above-referenced directory information released to the public must timely notify the appropriate office. Forms are available from the Office of the Registrar. A notice remains in effect until the student requests lifting of the hold in writing. If personally identifiable information is removed from education records, the records can be disclosed without student notification.

Personally identifiable information other than directory information can be released without prior approval under the following circumstances:

1. Contractors, consultants, volunteers, and other outside service providers used by a school district or postsecondary institution to perform institutional services and functions. A contractor (or other outside service provider) that is given access to education records under this provision must be under the direct control of the disclosing institution and subject to the same conditions on use and re-disclosure of education records that govern other school officials;
2. A school district or postsecondary institution may disclose education records, without consent, to officials of another school, school system, or postsecondary institution where a student seeks or intends to enroll;
3. Organizations, including state or federal education agencies, conducting studies for, or on behalf of the disclosing institution for purposes of developing, validating, or administering predictive tests; administering student aid programs; or improving instruction;
4. Ex parte court orders under the United States of America Patriot Act, or other lawful subpoenas;
5. As part of a health or safety emergency.