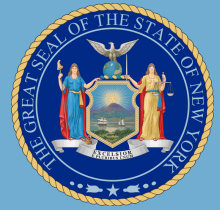




Directory Information FERPA and Ed Law 2d



Personally identifiable information (PII) is information that can directly or indirectly allow someone to reasonably **identify** a student.

Directory Information is information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance that a school may disclose **without parental consent**.

The release of Directory Information under FERPA is **authorized** by federal regulations.

Educational agencies must notify parents and eligible students of:

The **types** of personally identifiable information (PII) the education agency has designated as directory (i.e., name, grade, etc.)

The **right** of parents or eligible (i.e., over 18) students to **refuse** to let the educational agency designate any or all those types of information about the students as directory

How a parent or eligible student can **notify** the educational agency in writing that they do not want any or all of those types of information about student designated directory

Education Law 2-d **does not prohibit** the use of the FERPA Directory Information exception. It imposes **additional requirements** that educational agencies must consider when disclosing or releasing information—even if the disclosure is authorized by FERPA.

When sharing PII, educational agencies must ensure that:

The release of any information, including Directory Information, will **benefit** students and the educational agency

A student's PII is **not being sold** or released for any commercial or marketing purpose, or to develop, improve or market products or services to students

PII: Commercial & Marketing

This decision chart helps educational agencies avoid the improper disclosure of student data. Ed Law 2d requires that schools ensure that student PII is not sold or released for any commercial purposes.



PII from a student education record is involved.
Student data is PII from student records of an educational agency (Ed Law 2d). FERPA prohibits improper disclosure of PII from an educational record

YES

NO

Student data is shared with a 3rd party vendor

YES

The educational agency directly or indirectly receives remuneration connected with the release

Ed Law 2d does not apply

NO

YES

NO

Ed Law 2d does not apply

Release of PII is prohibited

Third-party contractor uses student data for advertising or to develop, improve or market products or services to students

YES

NO

Release of PII is prohibited

Release of PII is allowed with contracts ensuring compliance

