



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 8.5

Meeting Date: August 11, 2022

Subject: Release of Directory Information, Board Policy 5125.1

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Technology Services

Recommendation: Approve revisions to Board Policy 5125.1

Background/Rationale: The California Education Code provides the District “shall adopt a policy identifying those categories of directory information . . . that may be released.” Directory information includes the student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.

In order to maintain the confidentiality of directory information and regulate the release of such information in accordance with law revisions are necessary. No prior updates to the Board Policy has occurred since 2005. Such updates include language in the CSBA Gamut model policy.

Documents Attached:

1. Executive Summary
2. BP 5125.1

<p>Estimated Time of Presentation: 5 Minutes Submitted by: Bob Lyons, Chief Information Officer Approved by: Jorge A. Aguilar, Superintendent</p>
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Board of Education Executive Summary

Technology Services

Revision to Board Policy (BP) 5125.1: Release of Directory Information
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I. Overview/History of Department or Program

The District may disclose directory information from education records without consent as long as it has notified parents/guardians and eligible students of the types of information the school or district has designated as directory information and the right of parents/guardians and eligible students to opt out of disclosure of directory information. Directory information can include the student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. The District recognizes the importance of maintaining the confidentiality of directory information and therefore the release of such information is made only in accordance with law and this Board Policy.

The current version of this policy was last revised in 2005. The proposed revisions to the policies are based on the updates provided by the California School Boards Association (CSBA).

The revised board policy provides directory information may be released to representatives of public or private schools or colleges, branches of the military, offices of public officials for purposes of certificates or awards of recognition, the news media, and/or nonprofit organizations. The District may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on its determination of the best interests of students.

II. Driving Governance:

California Education Code section 49073 provides:

(a) School districts shall adopt a policy identifying those categories of directory information as defined in subdivision (c) of Section 49061 that may be released. The school district shall determine which individuals, officials, or organizations may receive directory information. However, no information may be released to a private profitmaking entity other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment before graduation may be provided to a private school or college operating under Chapter 8 (commencing with Section 94800) of Part 59 of Division 10 of Title 3 or its authorized representative. However, no such private school or college shall use that information for other than purposes directly related to the academic or professional goals of the institution, and a violation of this provision is a misdemeanor, punishable by a fine of not to exceed two thousand five hundred dollars (\$2,500). In addition, the privilege of the private school or college to receive the information shall be suspended for a period of two years from the time of discovery of the misuse of the information. Any school district may limit

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or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of pupils.

(b) Directory information may be released according to local policy as to any pupil or former pupil. However, notice shall be given at least on an annual basis of the categories of information that the school district plans to release and of the recipients. Directory information shall not be released regarding a pupil if a parent of that pupil has notified the school district that the information shall not be released.

(c) Directory information shall not be released regarding a pupil identified as a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), unless a parent, or pupil accorded parental rights, as identified in the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g), has provided written consent that directory information may be released.

III. Budget:

This proposed policy is intended to address the District's release of directory information. There is no direct budget impact from the revisions to this policy.

IV. Goals, Objectives and Measures:

Pursuant to the District's LCAP Goals, these Board Policies meets "Operational Excellence." The goal is to maintain the confidentiality of directory information and regulate the release of such information in accordance with law.

V. Major Initiatives:

This Board Policy critical to improve access to an exchange of while maintain the confidentiality of student records.

VI. Results:

Approval of revision to Board Policy 5125.1. Ensure compliance with state and federal law.

VII. Lessons Learned/Next Steps:

Adoption of revised Board Policy concerning the release of directory information. Information and correspondences concerning this matter have previously been shared with the District. Further updates will be provided as necessary.

Policy 5125.1: Release Of Directory Information

Status: ADOPTED

Original Adopted Date: 11/01/2001 | **Last Revised Date:** 07/01/2005 | **Last Reviewed Date:** 07/01/2005

~~The Superintendent or designee may authorize~~ Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may release student directory information to representatives of public or private schools or colleges, branches of the military, offices of public officials for purposes of certificates or awards of recognition,

~~the news media, prospective employers, governmental agencies and/or nonprofit organizations as provided by law. Unless prohibited by the parent/guardian in accordance with law, directory information which school officials may disclose consists of the following: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight in accordance with Board policy and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.~~

~~administrative regulation.~~

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on his/her ~~determinations~~ determination of the best ~~interest of the student in accordance to state law interests of district students.~~ (Education Code 49073)

~~Military services representatives~~

OPTION 1: Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number, unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC 7908; 10 USC 503; Education Code 49603)

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information may not be disclosed. The district shall not release information that is private or confidential as required by law, Board policy, or administrative regulation. No other access to student records or personally identifiable student information may be provided without parent/guardian permission. (Education Code 49073)

OPTION 1 ENDS HERE

~~OPTION 2: Colleges and prospective employers, including military recruiters, shall not have access to directory information. (10 USC 503; Education Code 49603)~~

OPTION 2 ENDS HERE

~~Under no circumstances shall directory information be disclosed to a private profit-making entity, except for representatives of the news media and prospective employers, in accordance with Board policy. Private schools and colleges may be given the names and addresses of 12th grade students and students who are no longer enrolled provided that they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code 49073)~~

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 49061	Student records; definitions
Ed. Code 49063	Notification of parents of their rights
Ed. Code 49073	Release of directory information
Ed. Code 49073.5	Directory information; military representatives; telephone numbers
Ed. Code 49603	Public high schools; military recruiting
Federal	Description
10 USC 503	Military recruiter access to directory information
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 7908	Armed forces recruiter access to students and student recruiting information
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11434a	McKinney-Vento Homeless Assistance Act; definitions
Management Resources	Description
CA Office of the Attorney General Publication	Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018
U.S. Department of Education Publication	Access to High School Students and Information on Students by Military Recruiters, 2002
Website	California Attorney General's Office
Website	U.S. Department of Education, Family Policy Compliance Office

Cross References

Code	Description
1100	Communication With The Public
1113	District And School Web Sites
1113	District And School Web Sites
1113-E PDF(1)	District And School Web Sites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1340	Access To District Records
1340	Access To District Records
3515	Campus Security
3515	Campus Security
3580	District Records
3580	District Records
4040	Employee Use Of Technology

4040-E PDF(1)	<u>Employee Use Of Technology</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4135	<u>Soliciting And Selling</u>
4219.21	<u>Professional Standards</u>
4219.21-E PDF(1)	<u>Professional Standards</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4235	<u>Soliciting And Selling</u>
4319.21	<u>Professional Standards</u>
4319.21-E PDF(1)	<u>Professional Standards</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4335	<u>Soliciting And Selling</u>
5020	<u>Parent Rights And Responsibilities</u>
5020	<u>Parent Rights And Responsibilities</u>
5022	<u>Student And Family Privacy Rights</u>
5022	<u>Student And Family Privacy Rights</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5131.1	<u>Bus Conduct</u>
5131.1	<u>Bus Conduct</u>
5145.12	<u>Search And Seizure</u>
5145.12	<u>Search And Seizure</u>
5145.13	<u>Response To Immigration Enforcement</u>
5145.13	<u>Response To Immigration Enforcement</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parental Notifications</u>
5145.6-E PDF(1)	<u>Parental Notifications</u>
6164.2	<u>Guidance/Counseling Services</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E PDF(1)	<u>Education For Homeless Children</u>
6173-E PDF(2)	<u>Education For Homeless Children</u>
9324	<u>Minutes And Recordings</u>