

Request to Opt Out of Disclosing “Directory Information” (for Parents, Guardians, or Caregivers)¹

Parent of Current Student’s Name

Address

Telephone Number and Email Address

Principal’s Name

Superintendent’s Name

School Name

School Address

Date_____

Dear Principal _____,

I understand that education records are subject to important confidentiality protections under the Family Educational Rights and Privacy Act (FERPA) and generally cannot be disclosed by schools to third parties without written consent.¹ One limited exemption is the disclosure of “directory information,” which may be disclosed by schools without prior written permission, unless consent is revoked.²

Schools are able to designate what “personally identifiable information” is considered to be “directory information.”³ By law, directory information may include, but is not limited to, any or all of the following information:⁴

- ☐ Name
- ☐ Address

- ☐ Participation in officially
recognized activities and sports

- | | |
|--|--|
| <input type="checkbox"/> Telephone number | <input type="checkbox"/> Height and weight of members of athletic teams |
| <input type="checkbox"/> Email address | <input type="checkbox"/> Degrees/honors/awards |
| <input type="checkbox"/> Date of birth | <input type="checkbox"/> Major/field of study |
| <input type="checkbox"/> Place of birth | <input type="checkbox"/> Photograph |
| <input type="checkbox"/> Grade level | <input type="checkbox"/> Enrollment status |
| <input type="checkbox"/> Dates of attendance | <input type="checkbox"/> Other information designated as directory information at the school |
| <input type="checkbox"/> Most recent school/district/institution attended | |
| <input type="checkbox"/> Student ID (if it cannot be used to access educational records) | |

Schools must provide at least an annual public notice to current eligible students and parent(s) of current students in a language they understand⁵ about what information is considered to be directory information and advise families of the deadline to opt out of the disclosure of this information.⁶ The school's opt-out deadline must also be "reasonable."⁷

As you know, current "eligible students"⁸ and the parent(s)⁹ of current students have the right to opt out of the disclosure of directory information by submitting a timely written request.¹⁰ A parent under FERPA "includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian."¹¹ An "eligible student," under FERPA, is a student who has reached 18 years of age or is attending an institution of postsecondary education.¹²

I am a parent under FERPA because:

- ☐ I am my child's parent.
- ☐ I am my child's guardian.
- ☐ I am acting in place of my child's parent or guardian because they are absent.

Below is my child's information:

Name: _____

Date of Birth: _____

School: _____

Grade Level: _____

I am **OPTING OUT** of disclosing my child's directory information as indicated below (check all that apply):

- ☐ Do not disclose **ANY** of my child's directory information. I am opting out of ALL directory information about my child being shared for any purpose.
- ☐ Do not disclose my child's directory information **UNLESS** it is [check preferred conditions below].
 - ☐ About school activities
 - ☐ Being shared in school publications
 - ☐ Being shared with qualified outside organizations (e.g. vocational schools, employers, and scholarship providers).
- ☐ (*For parents of students in the 11th and 12th grade*) Do not share my child's information for military services or to military entities.
- ☐ Other: _____.

In addition to **OPTING OUT** of my child's directory information being shared, I have checked off all the additional requests that apply to my child to safeguard their information:

- ☐ I have a Protection from Abuse Order (PFA) that affects me or my child's safety. Therefore, I do not want my child's directory information shared.
 - ☐ Because the PFA relates to my child and their safety at school, I will share it with the school. It is attached to this request.
- ☐ My child's address should be listed as confidential and should not be disclosed.
 - ☐ Their address is _____.
- ☐ My child is living in a housing situation that qualifies under the definition of "homelessness" under Section 42 U.S. Code § 11434a(2) of the federal McKinney-Vento Act, such as "living doubled-up" with friends or family due to economic hardship or loss of housing; "couch-surfing"; or living in temporary or emergency shelters. **Therefore, my child should be identified as McKinney-Vento eligible. Please see this endnote for a more comprehensive list of eligible housing circumstances.**¹³
 - ☐ My child had to change school entities during a school year due to experiencing homelessness. **Therefore, my child qualifies as Act 1 eligible for graduation and other school supports.**¹⁴
- ☐ I require interpretation and translation services. I communicate using _____ language.

Please confirm that my request has been received and that the school has recorded my opt-out of directory information on behalf of my child and other information shared in this letter.

Sincerely,

Parent's Signature

Date

The [Education Law Center-PA](#) crafted this form to help parents make a written request to opt out of the disclosure of directory information. Use of this form does not indicate representation by Education Law Center PA.

¹ 20 U.S.C. § 1232g(b)(1); 34 CFR § 99.30.

² 20 U.S.C. § 1232g(b)(1).

³ 20 U.S.C. § 1232g(a)(5)(B); 34 CFR § 99.37(a)(1).

⁴ 20 U.S.C. § 1232g(a)(5); 34 C.F.R. § 99.3.

⁵ 34 CFR § 99.7 (b)(2).

⁶ 20 U.S. Code § 1232(g)(5)(B); 34 CFR § 99.37(3).

⁷ 20 U.S. Code § 1232(g)(5)(B).

⁸ 20 U.S.C. § 1232g(d).

⁹ 20 U.S. Code § 1232(g)(5)(B); 34 CFR § 99.37(a).

¹⁰ *Id.*

¹¹ 34 CFR § 99.3.

¹² *Id.*

¹³ The McKinney-Vento Act defines students who lack a “fixed, regular, and adequate nighttime residence,” as experiencing homelessness. *See* 42 U.S.C § 11434a(2)(A). Homelessness is expansively defined and includes, but is not limited to, students, who are: “living doubled-up” with friends or family due to economic hardship or loss of housing; “couch-surfing;” living in temporary or emergency shelters; living on campgrounds (including those who are unsheltered, in a tent, recreational camper, or other inadequate accommodations), living in a car, hotel, or trailer park; living in a place that is not ordinarily used for sleeping; living unsheltered; or living in housing that is legally recognized as substandard. *See* 42 U.S.C § 11434a(2)(B).

¹⁴ 24 P.S. § 13-1331.1(e).