

**Subject** Educational data: postsecondary directory information

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## Overview

Under the federal Family Educational Rights and Privacy Act (FERPA), "directory information" is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Typically, "directory information" includes information such as name, address, telephone listing, date and place of birth, participation in officially recognized activities and sports, and dates of attendance. A school may disclose "directory information" to third parties without consent if it has given the legally-required notice of the types of information which it has designated as "directory information," and the parent's or (in the case of a postsecondary student) the student's right to restrict the disclosure of such information.

Section 13.32 of the Minnesota Government Data Practices Act, which classifies "educational data" as private data on individuals, incorporates FERPA's directory information provisions at subdivision 5.

This bill adds a paragraph to section 13.32, subdivision 5, to require a public postsecondary institution (i.e. an institution within either the University of Minnesota or Minnesota State system) to document larger third party requests for "directory information" on students. The bill also prohibits a public postsecondary institution from designating the following student information as publicly-available "directory information": email address, physical address, telephone number, or identification card photograph.