

LEARNER DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the District, with certain exceptions, obtain written consent from parents, guardians or from learners who are 18 years of age or older ("eligible learners"), prior to the disclosure of personally identifiable information from the learner's education records. The main exception is that the District may disclose designated "directory information" without written consent, unless the parent, guardian or eligible learner has informed the District that prior written consent is required before disclosing the directory information. The primary purpose of directory information is to allow the District to include this type of information from the learner's education records in certain school publications.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's, guardian's or eligible learner's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

If a learner's parent, guardian or an eligible learner, does not want the District to disclose directory information from the learner's education records without prior written consent, the learner's parent, guardian or an eligible learner must notify the District in writing within thirty (30) days of the beginning of the school year or, if enrolling after the beginning of the school year, within thirty (30) days of enrollment.

The District has designated the following information as directory information:

1. Learner's name;
2. Address;
3. Telephone **listing number**;
4. **Email address**;
5. Name(s) of Parent(s)
6. Photograph;
7. Date and place of birth;
8. Dates of attendance;
9. Grade level;
10. Participation (including video) in officially recognized activities and sports;
11. Weight and height of members of athletic teams;
12. Degrees, honors, and awards received;
13. The most recent educational agency or institution attended.

The District shall provide, by November first of each year, a list of learners by name in grades seven to twelve, inclusive, together with their mailing addresses, to the executive director of the Board of Regents and to each technical college located in the state unless the parent has directed that the District not release directory information about the learner.

The district shall provide to military recruiters the same access to secondary school learners as is provided generally to post-secondary educational institutions or to prospective employers of those learners; and shall, upon a request made by military recruiters for military recruiting purposes, provide access to secondary schools learner names, addresses, and telephone listings, unless the parent of the learner has submitted a request to the District that the learner's information not be released without prior written parental consent.

This District **will** **shall annually** notify parents of the types of learner directory information released. The notice will include:

1. An explanation of the parent's or eligible learner's right to request that information not be disclosed without prior written consent;
2. Notice that the school routinely discloses names, addresses, and telephone numbers to the South Dakota Board of Regents and each technical college located in the state and, upon request, to military recruiters, subject to a parent's or eligible learner's request not to disclose such information without written consent; and
3. Notification on how the parent or eligible learner may opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

Legal References: [SDCL 13-28-50](#) (School districts to provide student mailing lists to BOR and Technical Colleges)
 [CFR Title 34 Part 99](#) (Family Educational Rights and Privacy Act (FERPA))
 [Public Law 103-382](#) (Improving America's Schools Act of 1994)
 [USC Title 10 §503](#) (Enlistments: Recruiting campaigns; compilation of directory information)
 [USC Title 20 §1232g](#) (Family Educational Rights and Privacy Act (FERPA))
 [USC Title 20 §7908](#) (Armed forces recruiter access to students information)

Cross References: **[KBAA - Public Records](#)**

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