



ROSENSTEIN, FIST & RINGOLD

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## RED BANNER UPDATE

**Date:** May 13, 2021

**Re:** HB 1875

**Signed:** May 10, 2021

**Effective:** May 10, 2021

**Topic:** Open Records Act: Student Directory Information Designations and Prohibiting the Sale or Release of Directory Information Except as Provided by Law

**Summary:** This Act amends OKLA. STAT. tit. 51, § 24A.16 and permits educational institutions to designate specific information which shall be classified as “directory information” for attending students. The Act clarifies that, in accordance with the *Family Education Rights and Privacy Act* (FERPA), “directory information” includes a student’s name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational institution attended by the student.

The Act also provides that any educational agency or institution which is not the primary custodian of the student directory information of attending students, but which is allowed to access the information for educational purposes, is prohibited from releasing or selling any or all student directory information, unless disclosure is authorized by FERPA or OKLA. STAT. tit. 70, § 3-168, the *Student Data Accessibility, Transparency and Accountability Act of 2013*.

Please visit the firm’s website to view the signed Act.

RFR attorneys are reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.