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Different policies regulate college student contact data

BY ALLISON PRANG
The Kansas City Star

If you're a student at a Kansas college or university, you don't need to worry about your school giving your contact information to companies that want to sell you their products or services.

It's illegal.

But if you're a student at a college or university in Missouri, you just might need to be concerned.

Companies and outside organizations frequently request broad lists of directory information from schools

In Missouri there are no prohibitions against using it for marketing aimed at students. Companies and organizations that ask for the information include test preparation, graduation announcement and textbook businesses.

In Kansas, though direct considered a public record. Acts bars people from u

Directory information tra a student's name, major, email address, street address and phone number.

But states and schools across the country have different policies governing when directory information can be released and how it can be used.

Under the Family Educational Rights and Privacy Act, schools can pick and choose what, if anything, they will stipulate as directory information. Many schools also have online directories where people can search for someone associated with the university and obtain their contact information.

Many college students contacted by The Star didn't know that outside parties could get their directory information. Many also didn't know that, according to the Family Educational Rights and Privacy Act, schools are required to tell them they are allowed to opt out of



File photo by David Eulitt

Student directory information at UMKC is defined by the Board of Curators.

Area schools' policies

- Under the "KU Student Records Policy," here

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according to its website.

- According to Kansas State University's "Student Records Policy," here is what's considered to be directory information (noted that it's in compliance with the Family Educational Rights and Privacy Act): name, address and phone number; permanent address and phone number; birthday and birth location; a photograph; college curriculum; enrollment status; year in school; attendance dates; awards; academic honors and degrees earned; most recent former school a student has attended; and the height and weight of athletes.

- According to the University of Missouri system's website, directory information includes name, address, phone number, email address, major, dates of attendance, year in school, awards and degrees earned, enrollment status, the most recent school a student has attended and whether a student is an athlete.

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having it made public to anyone.

At some schools, the issue is dealt with at freshman student orientation and quickly forgotten. Or the notification is simply handled on a website.

Chelsea Jones, a KU sophomore majoring in strategic communications, said she didn't remember the university telling students that opting out was an option.

"I didn't even know that existed," she said of student directory information. "I think it should be kept private. I guess it would be wiser if students knew that it was public."

The situation became more confusing this year when the U.S. Education Department revised the privacy act. Although individual schools have always been allowed to make policies dictating what they consider public directory information, the revision allows schools to stipulate who they give this information to.

In other words, they can now play "favorites," said Frank LoMonte, the director of the Student Press Law Center in Washington.

"What is new as of the most recent regulations," LoMonte said in an email, "is that the schools can selectively disclose directory information to certain recipients and withhold it from others."

According to a news release from the Education Department last spring, it made some revisions to the act to improve schools' power to "safeguard student privacy."

"Schools will be able to implement directory information policies that limit access to student records, preventing marketers or criminals from accessing the data," it stated.

The revision regarding directory information has spurred legal action. The Electronic Privacy and Information Center sued the Education Department in February, contending that the department couldn't act without Congress' approval.

LoMonte said the revision raised the question of whether governmental bodies are allowed to make records public for certain people and keep them from others.

Kansas State University, the University of Kansas and the University of Missouri campuses say they comply with the act and don't plan on changing their policies anytime soon to selectively release information.

Dissecting the laws

According to the Family Educational Rights and Privacy Act, what schools identify as directory information may include the name, address, phone number, birth date and place, major, participation in official sports or activities, athletes' heights and weights, attendance dates, awards and degrees earned and the most recent former school a student has attended.

State open records laws also come into play, and they often vary. The Kansas Open Records Act says that "no person shall knowingly see, give or receive for the purpose of selling or offering for sale any property or service to persons listed therein, any list of names and addresses contained or derived from public records."

KU spokeswoman Jill Jess said KU declined requests on that basis. Jess noted that KU still had a searchable directory on its website, where people could search contact information for individual students and employees, but that there was a disclaimer explaining the policy prohibiting using the information for solicitations.

K-State spokeswoman Erinn Barcomb-Peterson said people requesting directory information were referred to the online directory where, as at KU, people can search for individuals associated with the university by name. She said those who requested bulk lists of directory information were instead directed to the university's online searchable directory.

Missouri Attorney General's Office spokeswoman Nanci Gonder said the Missouri Sunshine Law has no provisions against using directory information for solicitation purposes. But when people from the Attorney General's Office have educated local government officials on the law, using that information for solicitations has been brought up as a concern.

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The University of Missouri system usually charges \$150 for each request for bulk lists, Robert Schwartz, the University of Missouri system's custodian of records, said in an email.

Schwartz said that the system's Board of Curators was responsible for determining what is considered student directory information. He said the board's most recent revision to this policy took place in 2009, when the board decided to stop including a student's birthday, place of birth, and athlete's height and weight as public directory information.

Requesting the records

To get an idea of the types of companies are seeking student data, The Kansas City Star obtained all of the open records requests for directory information submitted in 2012 to KU, K-State, and the University of Missouri campuses in Columbia and Kansas City.

The companies and organizations that requested information varied by school, but they included Kaplan Test Prep and Admissions, Freeman Signature Announcements, Blink Textbooks, Dorm Room Movers, Stoney Creek Inn in Columbia, the International Dean's List Society, Legends Place Apartments, a graduate student, Campus Direct, Peak Campus Management and a KU residential hall.

The University of Missouri schools and KU received six requests so far in 2012. K-State received two.

Most of the companies that requested this information did not respond to requests for comment.

John Yeung of Campus Direct declined to comment on why Campus Direct requested students' directory information from KU.

Amy Swofford, assistant manager at Legends Place Apartments under Peak Campus Management, requested student directory information from the KU, but said she was told by the university it was not going to provide her the information.

Opting to opt out

For many schools, students can go into their online student accounts and opt out of having their directory information be made public.

But like many students, KU junior chemical engineering major Brian Yang said he wasn't sure whether he had opted out. He said, however, that he didn't have an issue with having his name and something like his email public, since most people's information is out there already.

MU junior biology major Raven Wright said she was given the rundown on the Family Educational Rights and Privacy Act when she became a residential life staff member. If students inquire about it, she said, staff members can then explain it.

Though Wright said she also remembered being told about being able to make your information private when she was a freshman, she said she didn't care at the time to opt out of having it made public. She said she didn't know that information was given out to "businesses and stuff."

K-State spokesman Jeff Morris said the school's policy on student data was based on what information is most commonly requested. He said the university's goal was to be as transparent as possible while protecting student privacy. Students are notified that they can opt when they come to orientation.

"It has not been a point of controversy because the students have the ability to opt out," he said.

Alexis Lundy, a junior majoring family and consumer science education at K-State, said she remembered being told about student directory information but never knew she could opt out.

"I didn't even know that was an option to be able to do."

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