



# The Attorney General of Texas

June 18, 1980

MARK WHITE  
Attorney General

Supreme Court Building  
P.O. Box 12548  
Austin, TX. 78711  
512/475-2501

701 Commerce, Suite 200  
Dallas, TX. 75202  
214/742-8944

4824 Alberta Ave., Suite 180  
El Paso, TX. 79905  
915/533-3484

1220 Dallas Ave., Suite 202  
Houston, TX. 77002  
650-0666

806 Broadway, Suite 312  
Lubbock, TX. 79401  
806/747-5238

1309 N. Tenth, Suite B  
McAllen, TX. 78501  
361/682-4547

500 Main Plaza, Suite 400  
San Antonio, TX. 78205  
512/225-4191

in Equal Opportunity/  
Affirmative Action Employer

Dr. Jack Elsom, President  
Ranger Junior College  
College Circle  
Ranger, Texas 76470

Open Records Decision No. 244

Re: Whether student rosters are  
required to be disclosed under the  
Open Records Act.

Dear Dr. Elsom:

You have requested our opinion as to whether student rosters must be disclosed under the Open Records Act, article 6252-17a, V.T.C.S. A newspaper has requested the names of each student enrolled in certain courses currently offered at Ranger Junior College, and, for every such course, the names of the students present on each class day.

Section 14(e) of the Open Records Act provides:

Nothing in this Act shall be construed to require the release of information contained in education records of any educational agency or institution except in conformity with the provisions of the Family Educational Rights and Privacy Act of 1974, as enacted by Section 513 of Public Law 93-380, codified as Title 20 U.S.C.A. Section 1232g, as amended.

The Family Educational Rights & Privacy Act of 1974 [hereinafter called the Buckley Amendment] prohibits, with certain exceptions, the disclosure of any education record to anyone other than the student who is the subject of the record. One exception is for "directory information," which may be disclosed after compliance with federal notice requirements which afford affected students the right to object to the release of directory information relating to them. 20 U.S.C. § 1232g(a)(5); 45 C.F.R. § 99.37(c) (1976). "Directory information" is defined as

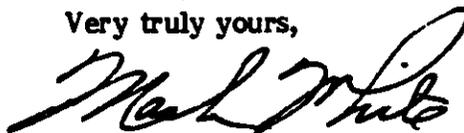
...the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most previous educational agency or institution attended by the student, and other similar information.

45 C.F.R. § 99.3 (1976) (emphasis added).

This office has held that "directory information" includes a list of names and addresses of the parents of students at a particular institution, Open Records Decision No. 96 (1975); a list of names and addresses of all former students credited with funds in their general property deposits, Open Records Decision No. 151 (1977); and the names of students assigned particular parking permit numbers, Open Records Decision No. RQ-278 (1980). The appropriate federal agency has advised us that, under guidelines issued by the Secretary of Education, the type of information requested here could reasonably constitute directory information.

In our opinion, student rosters as described herein constitute directory information. Accordingly, the University, after complying with federal notice requirements for the release of directory information, is required to disclose the information to which no appropriate objection has been filed pursuant to federal law. See Open Records Decision No. 96 (1975).

Very truly yours,



MARK WHITE  
Attorney General of Texas

JOHN W. FAINTER, JR.  
First Assistant Attorney General

TED L. HARTLEY  
Executive Assistant Attorney General

Prepared by Rick Gilpin  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

C. Robert Heath, Chairman  
Susan Garrison  
Rick Gilpin  
Laura Martin  
Bruce Youngblood