

17. Afterschool Program Site Coordinator Asks a Principal About a Student Who Has Been Admitted to a Psychiatric Hospital



The site coordinator of a community-based afterschool program is worried about a sixth grade student enrolled in the program. The student told the site coordinator that she's in jeopardy of repeating sixth grade based on her grades. The site coordinator notices that the student has seemed more anxious and withdrawn as time passes.

After the student doesn't show up for the program for two consecutive weeks and the site coordinator is unable to reach the student's mother by phone or e-mail, the coordinator becomes even more concerned about the student's well-being. She calls the principal of the student's school, shares her concerns, and asks the principal if he knows why the student has stopped attending the afterschool program. The principal knows that the student has been admitted to a psychiatric hospital. He isn't sure what information he can share with the site coordinator.

Who has the information?

The school principal.

Who wants the information?

The site coordinator of the afterschool program.

What information does the requester want?

She wants to know why the student stopped attending the afterschool program.

What does the requester want to do with the information?

It seems likely that she simply wants to allay her concerns about the student.

Which laws are relevant in this situation?

FERPA governs the disclosure of both school attendance information and health information contained in the student's education record.

What do the laws permit, and what do they prohibit?

A student's attendance record is considered "directory information" under FERPA. According to the U.S. Department of Education, directory information includes, but is not limited to, the following data about a student:

- Name
- Address and telephone number
- Date and place of birth
- Participation in school activities and sports
- Dates of attendance
- Photograph

A school may release directory information without obtaining parental consent *if* the school has already notified parents about the specific types of directory information it may disclose *and* parents have an opportunity to opt out of having information about their child disclosed.

School staff's personal observations or personal knowledge about a student that are not contained in the student's education record are not governed by FERPA and therefore can be disclosed without parental consent.

How can school personnel proceed legally in this situation?

SHARE THE INFORMATION WITHOUT PARENTAL CONSENT

The principal may share information regarding the student's attendance at school or any other directory information with the afterschool site coordinator as long as the school notified parents as described above. The principal is permitted to share with the site coordinator information based on his personal knowledge or observations. As long as the information regarding the student's admission to the psychiatric hospital is not part of the student's education record, the principal may share it.

OBTAIN CONSENT

If the information related to the student's hospitalization is contained in her school record, the principal must obtain written parental authorization before sharing it with the site coordinator. Under FERPA, written authorization to release education records must do the following:

- Specify the records to be disclosed
- State the purpose of the disclosure
- Identify the party or class of parties to whom disclosure is to be made
- Be signed and dated by the student's parent or guardian