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August 12, 2025

To: Campus Community

From: Cynthia Teniente-Matson, President 

Re: Rescission of S66-20 and Establishment of FERPA Directory
Information Policy (PD-2025-01) Presidential Directive to Bring San
José State University into Immediate Compliance with the Family
Educational Rights and Privacy Act of 1974 (FERPA)

I. Purpose

This Presidential Directive rescinds Academic Senate Policy S66-20, *Control of Information Contained in Student Records*, and establishes a policy redefining “directory information” in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA). This action is required to address a longstanding institutional oversight that places the university at risk of non-compliant audit findings and potential litigation. Should the Academic Senate of SJSU choose to develop future policy, the president would rescind this directive. Given the need to publish FERPA policy on an annual basis, the SJSU Academic Senate may prefer to have this directive in place permanently so it can be adapted quickly.

II. Background

In June 1966, San José State University adopted S66-20 to ensure that student records were managed with care and confidentiality. At the time, the policy was forward-thinking and served as a critical guide for institutional practice. However, the landscape of privacy law has changed dramatically since then, and with the implementation and evolution of federal regulations, particularly FERPA, the provisions of S66-20 have become obsolete and out of alignment with best practice.

Due to language within S66-20, SJSU has failed to align its operations with a critical FERPA requirement: the definition of “directory information.” FERPA law requires institutions to publish their FERPA policy annually and clearly define several key concepts, including directory information. Directory information, as determined by a school, is “information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Typically, directory information includes information such as name, address, telephone listing, date and place of birth, participation in officially recognized activities and sports, and dates of attendance. A school may disclose directory information to third parties without consent if it has given public notice

of the types of information which it has designated as directory information...”¹.

While other California State University (CSU) campuses define, on average, 12–13 data elements as directory information, San José State currently defines only two:

1. Dates of enrollment
2. Degree earned²

This exceedingly narrow definition has persisted for decades, creating compliance risks for the institution while also undermining essential campus functions, such as producing key documents for students and the campus. The issue must be remedied to ensure SJSU’s compliance with federal law, preserve the integrity of student record handling, and protect the institution.

III. Directive

1. Rescission of S66-20
Academic Senate Policy S66-20 is hereby rescinded in its entirety, effective immediately.
2. Establishment of a FERPA Directory Information Policy
San José State University will recognize the following as directory information in accordance with FERPA:
 - Student Name
 - Campus ID
 - Dates of Attendance/Enrollment
 - Major field(s) of study
 - Degrees Earned and Dates Conferred
 - Honors and Awards Received
 - SJSU E-Mail Address
 - Enrollment Status (Full, Part Time, or Other)
 - Graduate or Undergraduate Status
 - Class/Student Level
 - Participation in Athletics

This revised definition aligns SJSU’s practices with FERPA regulations and the broader CSU system. It is necessary to support core functions such as degree verification, student recognition, and student support.

¹ <https://studentprivacy.ed.gov/content/directory-information>

² <https://www.sjsu.edu/registrar/academic-records/ferpa.php>

These elements would be essential to any future Academic Senate policy, should the Senate choose to revisit this issue.

3. Annual FERPA Disclosure

This interim definition shall be included in the institution's annual FERPA disclosure, issued at the beginning of each academic year, beginning Fall 2025.

4. Future Senate Action

It is expected that the Academic Senate will deliberate on this definition of directory information during the 2025–26 academic year. And, the Academic Senate may choose to create a new policy for the campus. But, until such a policy is formally adopted and approved by the president, this directive shall remain in full effect.

IV. Authority

This directive is issued under the authority of the President of San José State University. It is exercised to bring SJSU into compliance as quickly as possible and to mitigate risk. Given the clear legal exposure and the need for immediate compliance with federal law, this action is both necessary and warranted.