



FERPA and Census 2020: Guidance for residence life staff

January 29, 2020

On January 14, 2020, the U.S. Department of Education's Student Privacy Policy Office (SPPO) issued a [letter to Institutions of Higher Education](#) to address issues that may arise as a result of the 2020 Census. (Note that this letter was revised on January 29, 2020, to include additional information about logistics and timelines and to make it clear that institutions of higher education may provide de-identified data disaggregated by race/ethnicity and gender. The revised letter can be accessed [here](#).)

One of the situations addressed in the letter is what may occur if a student does not complete the Individual Census Questionnaire (ICQ). In this case, Census officials may request that school officials—which may include resident advisors—provide the information. But what information can be provided without the consent of the student?

The letter indicates that an institution should look to its policy definition of “directory information.” Information that is designated as “directory information” in the institution’s policy and annual notice to students may be released to Census officials without the consent of the student, provided that the student has not opted out of directory information being disclosed.

If information is requested that is not “directory information,” it cannot be disclosed without the consent of the student. Categories of information that are on the ICQ that are not directory information (per the U.S. Department of Education) include the student’s sex, whether the student is Hispanic, Latino or of Spanish origin, and the student’s race. Additionally, it was reported that some local Census officials were requesting social security numbers, but social security numbers are never directory information and [cannot be used](#) to disclose or confirm directory information per federal regulations.

Colleges and universities with residential facilities should consider training residence life staff on the definition of “directory

information” and preparing them for Census questions to ensure consistent responses.

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