House Bill 4874 (Substitute S-1 as reported)
Sponsor: Representative Tony Stamas
House Committee: Civil Law and the Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Freedom of Information Act to allow a public body to exempt from disclosure under the Act "directory information" as defined in the Federal Family Educational Rights and Privacy Act (FERPA). Currently, a public body must exempt information from disclosure if releasing the information would prevent the public body from complying with FERPA. The bill would retain that provision.

The bill would not authorize the withholding of directory information, however, if it were requested by a recognized news organization for the purpose of gathering or preparing news for broadcast or publication. The bill also would not authorize the withholding of directory information regarding a student who was employed at an institution of higher education, if that information were requested by a collective bargaining organization seeking to organize or service a collective bargaining unit. A collective bargaining organization or unit that obtained directory information under the bill could use it only for collective bargaining purposes and could not sell the directory information to another person.

Under FERPA, "directory information" relating to a student includes the student's name, address, telephone listing, 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, and the most recent previous educational agency or institution attended by the student (20 USC 1232g).

MCL 15.243   Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 2-28-02   Fiscal Analyst: Kathryn Summers-Coty