

Office of the White House Press Secretary
(Vail, Colorado)

NOTICE TO THE PRESS

The President has signed S. J. Res. 40 which authorizes and requests the President to call a White House Conference on Libraries and Information Services not later than 1978; contains two riders amending laws (1) governing access to student records at educational institutions, and (2) prohibiting sex discrimination at educational institutions.

• Major Provisions of S. J. Res. 40

White House Conference on Libraries and Information Services -- S. J. Res. 40 authorizes and requests the President to call a White House Conference on Library and Information Services not later than 1978, to develop recommendations for the improvement of libraries and information centers and their use by the public. The Conference is to be composed of local, State, regional, and national institutions, agencies and organizations which provide library services; representatives of educational and scholarly agencies, organizations and institutions; persons with special knowledge of technology related to library services; and representatives of Federal, State, and local governments and the general public.

Planning and direction of the Conference is to be carried out by the National Commission on Libraries and Information Science (NCLIS), an independent executive branch agency established in 1970. NCLIS is authorized to make technical and financial assistance available to States to enable them to prepare for participation in the Conference. A 28-member advisory committee will be established to assist in planning and conducting the Conference, of which 15 members are to be appointed by the President.

Following the Conference, a report is to be submitted to the President and the Congress, and the President will be required to submit to the Congress his recommendations regarding the report. The resolution authorizes the appropriation -- without fiscal year limitation -- of "such sums as may be necessary" to carry out the joint resolution, but not to exceed \$3.5 million.

Family Educational Rights and Privacy Act amendments -- Section 2 of S. J. Res. 40 contains a series of amendments to the Family Educational

Rights and Privacy Act (FERPA), designed to correct deficiencies in the current law.

The amendments deal principally with defining what records are to be available to students, their parents, and others; the effective date after which files are to be accessible; and an expansion of the number of individuals who would have access to a student's files. Current law either does not treat these issues or does so in an ambiguous fashion. For example, current law does not provide -- in the view of some in the educational community -- an adequate definition of "education records."

FERPA currently gives students access to all of the records maintained on them by an educational institution. Provisions of the resolution set limits on this access, by exempting such records as parental financial statements submitted for the purpose of securing scholarships or other aid; any letters of recommendation which were placed in the student's file prior to January 1, 1975; and confidential recommendations to which the student has waived his rights of access.

Current law also contains a list of officials and circumstances with respect to which the prohibition on the release of records does not apply. This is expanded to exempt from such prohibition the following additional categories:

- State and local officials to whom information in education records is specifically required to be reported or disclosed pursuant to State statute enacted before November 19, 1974 (the effective date of FERPA); however, this exception would not prevent a State from further restricting access to education records.
- organizations conducting studies on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies will not permit the personal identification of students and their parents by persons outside the organization and if the information is destroyed when no longer needed.
- accrediting organizations.
- parents of a dependent student as defined in section 152 of the Internal Revenue Code.
- information necessary to protect the health or safety of the student or other persons in connection with an emergency.

Amendments to Title IX of the Education Amendments of 1972 -- Subsequent to issuance of HEW's draft Title IX regulations relating to sex discrimination

in educational activities, public response indicated serious concern with regard to how this law would be applied in three specific areas: (1) social fraternities and sororities, (2) youth organization -- such as the Girl Scouts and Boy Scouts -- which traditionally have been single sex, and (3) physical education activities at schools and colleges.

Section 3 of S.J. Res. 40 is similar to corrective draft legislation which HEW recently submitted to the Congress.

-- It exempts from Title IX membership practices of tax-exempt social fraternities or sororities whose members consist primarily of students at institutions of higher education, thus continuing coverage for alumni groups. The HEW bill would have exempted clubs or similar organizations as well as fraternities and sororities "associated with or recognized by an educational institution."

-- It exempts youth organizations on a somewhat narrower basis than the Administration's proposal in that S. J. Res. 40 applies only to the membership practices of such organizations, whereas the HEW bill would have exempted from Title IX all of the program activities of such organization

HEW did not address the issue of physical education activities in its proposed legislation, since the Department believes this issue can be resolved through its regulations under present law. S. J. Res. 40 is also silent with respect to this issue.

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