Family Educational Rights and Privacy Act, FERPA:

Enacted by Congress in 1974, the Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment, conditions federal educational funding on providing student access to, as well as maintaining the privacy of, educational records.

The EFSC catalog describes procedures and practices in compliance with this law, such as access, review, and challenge of records; release of student records; and designation of “directory information.” The EFSC web site includes a FERPA tutorial and information specific to faculty.

The following information is offered as a guideline and is not intended to be comprehensive. For FERPA purposes, it is of no consequence how education is delivered to students or where they are when they are participating in a course. Whether they are on-campus attending classes in traditional classrooms or half way around the world taking courses via the Web, students have the same FERPA rights and are to be accorded equal treatment under the law.

Guidelines for Faculty:

1. **DO** keep only those individual student records necessary for the fulfillment of your teaching or advising responsibilities. Private notes of a faculty member concerning a student and intended for the faculty member’s own use are not part of the student’s educational records.

2. **DO** keep any personal professional records relating to individual students separate from their educational records. Private records of instructional or other educational personnel are to be kept in the sole possession of the maker and are not to be accessible or revealed to any other person, except a substitute.

3. **DO NOT** distribute/pass around a list of students for them to indicate their attendance if the list has any information other than names.

4. **DO NOT** keep purely personal notes (for example, from a committee meeting recommending students for a particular program) in the student’s file, as they will become accessible to the student. Official committee minutes are likely to be considered accessible.

5. **DO NOT** display or discuss student scores or grades publicly in association with names, student ID numbers, social security numbers, or other personal identifiers. If scores or grades are posted, use some code known only to you and the individual student. In no case should the list be posted in alphabetic sequence by student name.

6. **DO NOT** put papers, graded exam books, or lab reports containing student names and grades in publicly accessible places. Students are not to have access to the scores and grades of others in class in ways that allow other students to be identified.

7. **DO NOT** request information or access a student’s file by computer unless you have a “legitimate educational interest” and are authorized to access the information. Records that are annotated “confidential” indicate that the student has requested no directory information be released.

8. **DO NOT** share student educational record information, including grades or grade point averages, with other faculty or staff members unless their official responsibilities identify their legitimate educational interest in that information for that student.

9. **DO NOT** share information from student educational records, including grades or grade point averages, with parents or others outside the institution without written permission from the student via the official FERPA release form available from the campus Admissions and Records Office.

**Sharing E-mail Addresses or Other Personally Identifiable Information among Students in the Same Class:**
Faculty who utilize electronic teaching tools such as Canvas may wish to share students’ email addresses in a class with others in the same class. The 2009 FERPA amendments clarified that a student cannot be anonymous in class, even in a distance learning setting. While grades and other personally identifiable information that relates to the student’s progress in the class cannot be disclosed, it is appropriate that contact information be shared if the class includes online discussions.

**Posting Grades on the Class Website and Sending Grades via Email:**
Even though students use their login IDs and passwords to sign in to a class website, it is a violation of FERPA if students in the class can see one another’s grades. Since there is no guarantee of confidentiality in transmitting information electronically via campus e-mail or through the Internet, faculty who wish to send grades to students via e-mail need to understand that if there is an unauthorized release of grades to someone who is not a school official, the institution would be in violation of FERPA.

**E-Mail Guidelines**
- Communicate with students only through Titan e-mail.
- Communicate with instructors and staff only through their College Outlook account
- Do not include a student’s name or ID number in the subject line of an e-mail
- Do not include a student’s social security number in an e-mail
- Do not include both the student’s name and ID in the body of an e-mail; put the person’s last name (and first initial if it is a common name) and the last numbers of the ID.
  - Example: SMITHJ_3456