

## PRIVACY OF STUDENT RECORDS: ESSENTIAL INFORMATION FOR FACULTY & STAFF

- The Family Educational Rights and Privacy Act (FERPA) and UC policy restrict the disclosure of information from student records. With electronic media prevalent and public scrutiny high, students expect the University to protect their privacy.
- Presume that all student information is confidential, and do not disclose information without a student's consent except to University officials who have a legitimate educational interest in the information. Consult with the Office of the Registrar to understand which information the University can properly disclose.
- Students have a right to access most information in the records that the University maintains about them, including e-mail messages between faculty or staff that refer or relate to them. Knowing that a student might read your e-mail message later, keep your e-mail messages focused on facts and try to avoid communicating subjective judgments. Notwithstanding their general right of access, students do **not** have a right to access records that are kept in the sole possession of the person who created the record, are used only as a personal memory aid, and are not accessible by or revealed to any other person except a temporary substitute for the person who created the record.
- Some students exercise their right under FERPA to restrict the University from disclosing any information about them, not even their name or existence at the University, because serious threats to their personal safety exist or for other reasons. The University must ensure that no information about students who exercise this right is disclosed except to University officials who have a legitimate educational interest in the information.
- Parents of UC students do **not** have a right to obtain information from student records, including grades and faculty records about a student's performance in class. However, a student may consent to disclosure of information to his/her parents.
- Faculty are not automatically entitled to access all information about their students. Faculty have a legitimate educational interest in information only if the information is relevant and necessary for them to fulfill their role in the student's education.
- Faculty, staff, and teaching assistants **can** share information about distressed or disruptive students with University officials who have a legitimate educational interest in the information. In addition, if a health or safety emergency exists, faculty, staff, and teaching assistants can share information with other people, within and outside the University, to protect the health or safety of the student or others.
- In letters of recommendation, faculty can discuss their personal observations, but they should not disclose information from student records, such as grades, without the student's consent.
- Avoid inadvertently disclosing information from student records. For example:
  - Do not place graded, identifiable student work in the hallway or an unmonitored area for students to pick up;
  - Do not post grades publicly if grades are linked to a student ID number, name, or other identifier except for an exam number or unique ID known only to the instructor and student;
  - Avoid requiring students to post identifiable homework assignments or projects in a publicly accessible on-line forum (e.g., Facebook, YouTube, and other social media spaces);
  - Instead of requiring students to participate in a publicly accessible on-line blog, allow students to opt out, create a private blog, or consider using the Collaborative Learning Environment (Moodle);
  - If you use Doodle or a similar system to solicit or share calendar or schedule information, create a private poll so students' information is not disclosed to other students;
  - Obtain consent from new students before sharing any of their personal information, biographical or academic, with students, faculty, or others;
  - Do not circulate or post a class roster that includes photograph or student ID number, and do not circulate or post a class roster of student names if the roster is available to persons outside the class;
  - The "cloud computing" environment offers many handy and inexpensive applications. However, placing any information about students at a Web site not under contract with the University may raise FERPA issues. Make the use of these sites optional, or allow students concerned about privacy to provide their information to you in a secure manner.
- Students who wish to consent to disclosure of information from student records must state **in writing** which records may be disclosed, identify the party or class of parties to whom the records may be disclosed, indicate the purpose of the disclosure, and sign and date their consent statement.