

San Francisco State University - Office of the Registrar 2012
Protecting Students' Academic Privacy in the Classroom per FERPA

What is FERPA?

FERPA (Family Educational Rights and Privacy Act) is a federal statute enacted by Congress in 1974. It is designed to assure students' access to their own educational records and to protect their privacy. FERPA's complexity can be a bit daunting, but the primary issues faculty deal with on a daily bases are addressed in this document. Just remember: The Family Educational Rights and Privacy Act (FERPA), prohibits disclosure of educational records or personally identifiable information without the express consent of the student. But what does it mean to you as a faculty member at SF State? The following FAQs may be helpful.

In the Classroom and Coursework

Q. May I leave graded work outside my office for students to pick up?

A. No. It is a FERPA violation to leave graded work where others can view it or see another student's graded work. For example, you cannot allow students to search through a stack of other students' graded papers to find their own or to pick up work for another student.

What CAN I do? There are several options for returning student work. Here are a few ideas:

- Students can submit their work in an envelope labeled with their name. The instructor can seal confidential information (e.g., the work with the grade and the teacher's comments) inside this envelope and leave it out for students to retrieve.
- Authorized department staff can return papers from a common stack to students, provided no student sees another's graded material in the stack.
- Handing back work during class is appropriate as well, provided no student sees another's grade.
- Assignments, term papers, etc., submitted through iLearn can be graded and easily returned confidentially through the web.

Q. May I post students' scores or grades?

A. No, you may not post scores or grades in such a way that any student's individual performance can be identified by a third party. You *cannot* post scores by name, Social Security number, or SF State ID number or even partial SF State ID Numbers. Note that while the Student name and SF State ID number are part of *Directory Information*, scores and grades are not. Thus, you cannot post scores and grades associated with their name and/or SF State ID.

What CAN I do?

You *may* post scores and grades by using a PIN or code created especially for your class and known only to the student and you, the instructor. However, even this may be problematic in a small class or under other circumstances in which a third party might easily match a student to a grade. For example, even posting grades or scores by PIN but in alphabetical order is inappropriate because it would be easy for someone to match a student to a grade. (That is, everyone would know that Alicia Alvarez's grade was first on the list and that Zachariah Zimmerman's grade was last.)

Q. May students evaluate each other's work in class?

A. Yes, students may evaluate each other's work in class as long as it has not yet been graded by the instructor. Before continuing, two common terms in FERPA need explanation: *directory information* and *non-directory information*. *Directory information* can be released without student consent. SF State defines *directory information* as:

- SF State ID,
- student's name,
- e-mail address,
- major field(s) of study,
- class or student level,
- dates of attendance,
- enrollment status (e.g., undergraduate or graduate, full-time or part-time),
- degrees awarded,
- honors and awards received

Non-directory information, on the other hand, cannot be released to the public without prior student consent. Anything *not* included in directory information (e.g., grades) is considered non-directory information and cannot be released without the student's written permission.

For a complete explanation visit the Registrar's web page and review under Privacy Rights, *Release of Student Information*: <http://www.sfsu.edu/~admisrec/reg/ferpa.html>

Q. May I use student work and assignments from class as an example for others?

A. To avoid violating FERPA, only discuss student work and assignments without identifying a particular student. You may not disclose a student's non-directory information without the student's express written consent. For example, you cannot mention a student's identity, their name or SF State ID number in conjunction with any non-directory information: test answers, essay, term paper, grades, academic record, etc., unless the student has given you written permission. *Remember: You must ensure that the student's identity will not be apparent to other students in the class when discussing student work.*

Q. May I talk to another faculty member about a student's work?

A. You may discuss a student's non-directory information with another faculty member as long as there is a legitimate "need to know." If discussing a student and his or her work is necessary for the faculty members to perform their jobs (e.g., discussing how to help a common student who is failing), then it is permissible to do so.

Letters of Recommendation

Q. How does FERPA affect my writing of letters of recommendation for students?

A. If the letter of recommendation is to include any non-directory information, the student must give written permission. This written permission can be authorized in a letter submitted by the student indicating the information they wish you to provide. Students can also grant permission for you to release non-directory information in a letter of recommendation by filling in the Student Release Form, available at:

<http://www.sfsu.edu/~admisrec/reg/ferpa.html>.

Note: If the recommendation will not include protected (non-directory) information, no written permission is needed. Neither is written permission required for teachers/employers to communicate their opinions of a student's performance, personal traits, etc. (e.g., punctuality, creativity).

Parental Rights

Q. What are a student's parents entitled to know?

A. Parents do not automatically have rights to SF State students' educational records unless they have written consent. Parents must have a signed release from the student to access any educational information, including progress in a course.

Q. Can educational information ever be released to a parent or family member without a signed release?

No, San Francisco State University only releases non-directory information with a written release from the student.

Note: A parent, spouse or any other person, acting on the student's behalf when the student is unavailable, can only have access to a student's record if the student has signed a written release available on the Registrar's webpage:

<http://www.sfsu.edu/~admisrec/reg/ferpa.html>.

Conclusion

In summary, despite FERPA's detailed recitation of rights and sanctions, it is student-friendly, legally necessary, and very important for ethical good practice in higher education. FERPA assists the university in respecting students' privacy by providing specific guidelines about when faculty (and others) can and can't, should and shouldn't share information about students and their academic work.

If you have questions regarding FERPA and its implications for you and your students, please contact Interim University Registrar, Renee Monte, rmonte@sfsu.edu or visit the Privacy Rights section on the Registrar's webpage: www.sfsu.edu/~admisrec/reg/ferpa.html.