

FERPA

FAMILY EDUCATIONAL
RIGHTS AND PRIVACY ACT

Essential information for faculty,
teaching assistants, and readers

PRIVACY OF STUDENT EDUCATION RECORDS

- **Student Record Privacy:** 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.
- **Confidential Student Information:** 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.
- **Student's Right to Access Records:** 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.
- **Additional Restrictions on Student Information:** 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:** 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 submit a written letter of consent to disclosure of information to their parents.
- **Distressed Students:** Faculty, teaching assistants, and readers **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, teaching assistants, and readers can share information with other people, within and outside the University, to protect the health or safety of the student or others.
- **Faculty Access to Records:** Faculty, teaching assistants, and readers 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.
- **Letters of Recommendation:** In letters of recommendation, faculty and teaching assistants can discuss their personal observations, but they should not disclose information from student records, such as grades, without the student's written consent.

- **Disclosing Information:** Students who wish to consent to disclosure of information from their 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. Disclosure is not permitted prior to receipt of written consent. **The signed consent is restricted to a one-time release.** Students must submit a new consent for each disclosure.
- **Unauthorized Disclosure:** Avoid inadvertently disclosing information from student records. For example:
 - Do not post class video recordings publicly; if the recording includes any student identifying information, including photo, video recording, audio recording, or name. Class recordings may be shared within the class. Recordings of lectures only (no student information) may be shared publicly.
 - Do not post grades or scores publicly if grades/scores are linked to a student PERM number, name, or other identifiers. Grades or scores may only be posted when a unique ID or exam number known only to the instructor and student is used.
 - Do not post grades/scores or other personally identifiable information to unsecured web servers, or web pages that can be accessed by search engines (Google, Yahoo, etc.). If you are unsure about the security of data on your department's computers or servers, please consult your departmental IT staff.
 - Do not circulate a class roster that includes student PERM number, name, or other identifiers to persons outside of the class. This includes UCSB employees who do not have a legitimate educational need.
 - Do not circulate student contact information or mailing lists to any third parties. Refer all inquiries to the Office of the Registrar.
 - Avoid requiring students to post identifiable homework assignments or projects to publicly accessible online forums (e.g., Facebook, YouTube, and other social media spaces). Instead of requiring students to participate in a publicly accessible online blog, allow students to opt out, create a private blog, or use GauchoSpace.
 - If you use Doodle or a similar system to solicit or share calendar information, create a private poll so students' information is not disclosed to other students or third parties.
 - Obtain written consent from students before sharing any personal information, biographical or academic, with third parties including other students, parents, faculty, or external entities.
 - The "cloud computing" environment offers many handy and inexpensive tools. However, placing any information about students on a website or server not under contract with the University could be a violation of FERPA. Make the use of these sites optional, or allow students concerned about privacy to provide their information to you in a secure manner. For more information please see <http://www.policy.ucsb.edu/policies/advisory-docs/clickthrough-guide.pdf>.
 - Employees are strongly encouraged **not** to sync their UCSB Google Connect email with their personal devices (phones, tablets, laptops, etc.). Instead, employees should access University email through the UCSB web interface: <https://mail.google.com/a/ucsb.edu>.

Questions related to FERPA or student records can be referred to:
the University of California, Santa Barbara Office of the Registrar
 Sara Cook, Associate Registrar sara.cook@sa.ucsb.edu