

FERPA IN THE AGE OF THE INTERNET CLASSROOM

Rule of Law:

FERPA stands for the Family Educational Rights and Privacy Act. This law provides students or parents of dependent students with two basic rights: 1) to keep educational records confidential, unless they consent or an exception applies and 2) to inspect their educational records. The university maintains a **FERPA policy (04.150)**.

The U.S. Department of Education has provided the following guidance on FERPA's impact on electronic class discussion: **Email and online presentation of papers usually become education records once received by a university employee. However, communications and posting of written work for electronic discussion among students in a class does not require a signed and dated specific written consent of the students, provided** that (a) electronic postings of the student work do not contain grades or comments of the professor; (b) the students perform the posting rather than the professor; (c) students are notified prior to or at the time of enrollment that posting of their work is a course requirement; and (d) the posted work is available only to members of the class.

Risk/Consequences:

A university which has a practice of releasing confidential student information from educational records can lose its federal student aid funding.

Practice Pointers:

1. Use only restricted internet tools and resources in WebCT and Luminis. Notify students in the syllabus that the course “will require electronic posting of homework and papers that they complete as part of the course and comments on topics raised in class. The electronic postings will only be available to other students in the class during the semester. Grades will be kept private.”
2. If you must utilize public blogs or public wikis for a course, give students the option to use pseudo names revealed only to you so that they don't have to give up their privacy as part of the course requirements or provide them with alternative course work that does not involve public disclosure.
3. If using Turnitin or other plagiarism detection software service, the faculty must delete all personally identifying information from the student paper before submitting it to the service, unless a student has signed a consent form.
4. Schedule a “FERPA Fundamentals” workshop for your department or unit.
5. Use the FERPA consent forms located on the OGC website.