

University at Albany

Policy on Use of Student Photos By Faculty and Staff in Classrooms and Academic Advisement

Policy Statement:

The University at Albany has determined that, under the federal Family Educational Rights and Privacy Act (FERPA), its faculty and staff are “school officials” with a “legitimate educational interest” in access to student photos, for the limited purposes of student identification on class rosters, class seating, examinations and academic advisement, whereas photos are personally identifiable information from student records otherwise protected from disclosure by FERPA.

The University at Albany bases this determination on its assessment that the use of student photos by faculty and staff for the limited purposes of student identification on class rosters, class seating, examinations and academic advisement will enrich the classroom and advisement discourse between faculty/staff and students, protect the integrity of the examination process, and overall, enhance the educational experience and retention of students at the University.

Therefore, faculty and staff will be provided access to student photos for use in the classroom and academic advisement purposes upon terms and conditions consistent with the mandates of this Policy and of the Family Educational Rights and Privacy Act (FERPA).

Policy Impact Statement:

Access to student photos by faculty and staff for the limited purposes provided herein, if used in manners consistent with FERPA and this Policy, and protected in the manners required by this Policy, will foster faculty/student engagement and enrich the academic experience for students at the University.

Table of Contents:

Policy Statement

Policy Impact Statement

Definitions

Procedures

 Source and Verification of Student Photos

 Accessing the Student Photo

 Electronic and Paper Storage of Student Photos

Use of Student Photos
Sanctions for Violation of the Policy
Training and Communication
Related (statutes, regulations, executive orders, SUNY policies & institutional policies)
Responsible Office(s)
Policy History
Date of Approval

Definitions:

FERPA: The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

University's FERPA Officer: The University Registrar

Procedures:

Source and Verification of Student Photos:

- A. Student photos will be obtained and verified by the University's designee, the University Auxiliary Services at Albany ("UAS"), as part of SUNYCard's services provided to the University by UAS.
- B. In the event a faculty or staff member questions the identity of a student for any reason, the faculty or staff member should contact the Registrar's Office if additional verification is needed. If a student does not have a photo on a roster, the student can privately be encouraged to see SUNYCard for additional guidance.

Accessing the Student Photo:

- C. Student photos may only be accessed from the University's Integrated Administrative System ("IAS," including "MyUAlbany") or through software applications contracted by the University at Albany for the express purpose of advising and/or counseling students.

Electronic and Paper Storage of Student Photos:

- D. Student photos must be stored in IAS. The student photos may not be exported and shall not be added to another software application (including, but not limited to Blackboard, blogs, websites) or copied and saved on other forms of optical (CD ROM) or electronic media (workstations, laptop computers, mobile devices), the sole exception being

software applications contracted by the University at Albany for the express purpose of advising and/or counseling students.

- E. Student photos shall not be printed or photocopied except for the limited uses by the faculty and staff as set forth below under “Use of Student Photos.”

Use of Student Photos:

- F. Student photos may be used by faculty and staff to identify students on class rosters, on seating charts, for examinations, and for academic advisement purposes only.
- G. Student photos may be shared by primary instructors with teaching assistant(s) who are assisting with their particular class.
- H. Student photos shall not be shared between and amongst faculty and staff, including, but not limited to academic advisement staff, as the use by an individual faculty or staff member is limited to his/her academic relationship with the student(s).
- I. Student photos shall not be released to other students, including those students enrolled in the particular class without the student’s written permission.
- J. Student photos shall not be posted. The Family Policy Compliance Office (FPCO), responsible for oversight of FERPA, advises colleges and universities to restrict the practice of publicly posting student personally identifiable information (PII), such as, test grades, assignment grades, final grade lists and **student photos** (e.g., on the professor’s door or bulletin board or via e-mail).
- K. Student photos shall not be released to any University department or unit under this Policy, even if such release may otherwise be authorized by FERPA under one or more of its exceptions to disclosure without a student’s consent.
- L. Student photos shall not be released to any third party under this Policy. Release to any third party, including any other “school official with a legitimate educational interest” in access to and usage of student photos, shall only be made in accordance with the University’s FERPA Policy, namely the release is authorized by the University’s FERPA Officer in consultation with the Office of the General Counsel, or the release is subject to a subpoena issued by a court of competent jurisdiction, as reviewed and approved by the Office of the General Counsel, per the University’s FERPA Policy.

Sanctions for Violations of this Policy:

- M. Any violations of this Policy may result in a breach of student personally identifiable information, thus loss of access to such student photos and may also subject the individual to disciplinary action, including, but not limited to suspension or termination.

Training/Communication:

This Policy shall be posted on the University’s official policy webpage, and summary information about it, with reference to the URL of the full policy, it shall be emailed by the University’s FERPA

Officer to all faculty and staff within the first two (2) weeks of the first day of classes for the fall, spring, winter, and summer semesters.

Responsible Office(s): Office of the Provost
University Registrar

Related:

Statutes: FERPA 20 USC 1232g
Regulations: 34 CFR Part 99

SUNY Policies:

http://www.suny.edu/sunypp/documents.cfm?doc_id=540

University Policies:

<http://www.albany.edu/registrar/>

<http://www.albany.edu/uas/sunycard.php>

Policy History: none prior to approval of 8/27/2015

Date of Approval: 8/27/2015