Student Privacy Reminder

FERPA (The Family Educational Rights and Privacy Act)

Students have three primary rights under FERPA: (1) The right to inspect and review their education records, (2) the right to have some control over the disclosure of information from their education records (including, but not limited to personally identifiable information), and (3) the right to seek an amendment of their education records.

FERPA forbids disclosure, to third parties, of student personally identifiable information (PII) and information related to a student’s academic work without the student’s written consent. A third party may include, but is not limited to: fellow students, parents, family members, classmates, friends of the student in question, unofficial guest instructors or teaching assistants that are not officially assigned to the schedule of classes, and third-party providers such as Dropbox, Box, Weebly, etc. when there is no campus contract for the service with the provider.

University at Albany employees should be alert to the existence of this strong and binding restriction, and should take care not to reveal information about students directly or indirectly to third parties.

Posting Grades

In order to provide students with timely information about assignments, papers, and exams, many faculty post the results at a convenient location for students to check their grades. Faculty who use this strategy are advised that it is a violation of FERPA to post exam results or grades in a manner that allows any third party to infer a specific student’s grade. For example, you violate a student’s rights under FERPA if you leave graded papers in a public hallway, share grades via an e-mail distribution list, or permits students to examine faculty evaluation of the work of other students.

Posting grades by full or partial student identification number, full or partial social security number, or name, is prohibited. An acceptable way to comply with the law is to post the grades using a unique identifier known only to the instructor and the student. If this method is chosen, the identifier cannot be composed of personally identifiable information such as birth date, phone number, etc., and the list cannot be in alphabetical or seating order. If all grades in a course are the same, those grades should not be posted. Please see below for more helpful information on posting grades.
**Student Photos**

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 enriches the classroom and advisement discourse between faculty/staff and students, protects the integrity of the examination process, and overall, enhances the educational experience and retention of students at the University. **Please be advised that posting or distributing student photos violates a student’s rights under FERPA and is prohibited** ([http://www.albany.edu/registrar/photo-usage-policy.php](http://www.albany.edu/registrar/photo-usage-policy.php)).

**Communication via E-Mail**

Communication via e-mail is helpful in many ways, however care should be taken when exchanging student personally identifiable information (PII) via e-mail. Personally identifiable information such as names in combination with Social Security Numbers, NYS Driver’s License Numbers, or bank account information, should never be transmitted via plain text email.

**Guidelines:**

The sender should always verify that the e-mail recipients are actually the intended recipients. To do so, right click on the receiver names to identify the correct e-mail addresses and departments. Often times there are multiple students with the same name or students with the same name as an employee. Additionally, e-mails should be checked for attachments to ensure they are appropriate to send to the recipients and that they are the correct attachments. Opening an attachment before sending an e-mail is a good practice. Internal correspondence (@albany.edu-to-@albany.edu) is encrypted in transit. However, personally identifiable information should be sent as encrypted attachments to prevent exposure in the event the recipient has their mail forwarded to a non @albany.edu account. A safer avenue of exchanging data within a department is to place the data in a network shared drive and let people know via e-mail where to retrieve it.

For guidelines on the transmission and storage of regulated information, please see the University Standards governing these activities [1].

[1] [https://wiki.albany.edu/display/public/askit/Category+I+Storage+Standards](https://wiki.albany.edu/display/public/askit/Category+I+Storage+Standards)

**NOTE:** The Student Privacy Policy Office (SPPO), responsible for oversight of FERPA, advises colleges and universities to restrict the practice of publicly posting and distributing student personally identifiable information (PII), such as, test grades, assignment grades, final grade lists, and student photos (e.g., on the professor’s door, on a bulletin board, via e-mail, etc.).

**Below are some helpful resources for faculty related to posting grades:**

- How to upload test scanning grades to Blackboard - [https://wiki.albany.edu/display/askit/Uploading+Grades+from+the+Test+Scanning+Service](https://wiki.albany.edu/display/askit/Uploading+Grades+from+the+Test+Scanning+Service)
- Help with Grade Rosters, Entering Grades, and Uploading Grades: Log on to MyUAlbany via: [https://www.albany.edu/myualbany/](https://www.albany.edu/myualbany/). Select the Help page, choose “Faculty Tutorials” link on left side of page. Select the appropriate tutorial.
• Additional help and consultation – For detailed assistance with using the Grade Center in your Blackboard courses, you are encouraged to make an appointment with the ITS-Educational Technology Services.

  • Appointments: http://www.albany.edu/edtech | 518-442-4288
  • Workshops: http://www.albany.edu/blackboardhelp
  • Best Practices with Grade Center

If you have questions about privacy law and/or disclosure please refer them to the Registrar’s Office at registrar@albany.edu.