

Maintaining FERPA and Confidentiality in a Virtual Environment

What is FERPA? *The Family Educational Rights and Privacy Act (FERPA) 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. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."*

Guidelines for maintaining FERPA

- Virtual meetings and conference calls are professional environments; conduct yourself as you would during a face-to-face meeting or discussion
- Everyone participating in the video/call must do the following at the beginning of the meeting:
 - State your name, title, and role for participation
 - Any additional people in the same room during the meeting should be announced to the group and their purpose for participation must be directly related to the content of the meeting.
- Be aware of sharing Personally Identifiable Information (PII) of a student to people who do not or should not have this information. For example, names, birthdates, school ID numbers may disclose the identity of a student.
- If hosting ER/RR/IEP meetings or other meetings where student information or other confidential information is being discussed, please ensure that you are hosting from a confidential location. Additional people in your location should NOT be able to hear the virtual meeting. This includes your own children, spouse, or partner.
- Specific student information should not be discussed in a large group meeting, such as a building-wide faculty meeting. Specific student concerns should be discussed with only necessary team members present.
- Special Education meetings may not be recorded.
- Any written documents that are discussed during a meeting for the purposes of the student's education, educational record or educational planning falls under FERPA guidelines. Parents have the right to request any documents that are a part of their child's official school record. Your personal notes, not for the intention of sharing with others or entering into a student's file, are not a part of a student's record and therefore are not subject to FERPA regulations.
- Use extra caution when emailing documents, reports, records or files, even to parents. Double-check that the person is allowed to have access to this information. When possible, use a secure method of delivery.
- When in doubt, exercise caution. It's best to tell someone that you will follow up with additional information, rather than share too much information.