

FERPA Compliance Guidelines

FERPA restricts the sharing of student educational records (i.e. records in any medium that relate to an identifiable student) without permission, except as allowed under certain exemptions. In our new virtual instruction environment, faculty have expressed concern around remaining FERPA compliant. This short document is an attempt to answer some of the common questions around specific tools that we will use this semester.

Course Content:

- Course content that **does not involve any identifiable student information does not implicate** FERPA. Asynchronous lectures depicting only the faculty member, whether generated by Zoom, Panopto, YouTube, Instagram or Facebook, would all be compliant and can be distributed through any channel (e.g. Canvas, Vimeo, Piazza), assuming there are no independent reasons for restricting access such as copyright concerns addressed in other materials.
- **If students are included in the recordings**, either through questions or interactions, then the platform use for your classroom sessions must be FERPA-compliant. (*See below for information on which platforms are FERPA compliant.*) The primary restriction is that the material can only be distributed within the course, and you must take reasonable precautions to prevent any broader release. Further, personal information such as grades should be restricted to individual students, only.
- The presumption is that you will not have students “appearing” in your lectures, but rather only as ancillary participants through questions or active teaching. It is not “illegal” to capture student presentations or comments in a class and to share recordings **with members of that same class**. However, such sessions should not be posted publicly on platforms such as YouTube, Instagram, or similar social media sites, as set forth below.

Canvas:

- Almost all activities within Canvas can be expected to be FERPA compliant, with some restrictions as noted below.

Zoom:

- Zoom sessions that are **initiated within Canvas**, and where **recordings are made to the cloud**, will be FERPA compliant. The processed recordings are posted only to the Zoom cloud available through Canvas.
- Recording of Zoom sessions initiated through cornell.zoom.us are **not FERPA compliant** as the final recordings are not strictly restricted to the class members. However, if you record to your computer and upload only to your Canvas site, the process **can be** FERPA compliant.

Panopto:

- As primarily a method for **recording** lectures, it is unlikely that Panopto will involve FERPA issues.
- Panopto should not be used for live-streaming lectures with student involvement.

Kaltura:

- Kaltura can be used in numerous ways to produce recordings, involving or not involving students. If students are involved, the same principles as Zoom recordings would apply, i.e. recordings should be accessible only by members of the class.

YouTube:

- Is not FERPA compliant if there is any student involvement in the session and therefore is not allowed for recordings that include students.

Qualtrics:

- Cornell prohibits use of Qualtrics surveys for collecting and storing student education records. Please use the alternative on-line assessment features available in Canvas.

Copyright compliance

- In order to stay within the bounds of “fair use”, access to lectures incorporating unlicensed third-party content such as photographic images and sound recordings should be limited to members of the class and not posted on public platforms.