



**Opinion of General Counsel
Opinion # 2012-04**

Posting Student Grades – Privacy Issues

This Opinion is intended to provide guidance regarding how faculty members may appropriately and legally post student grades.

The University of Kentucky is bound by the Family Educational Rights and Privacy Act of 1974 (FERPA), a federal law that protects the privacy of student's education records, as well as Kentucky law. FERPA protection applies to any educational institution that receives federal funds for any purpose.

FERPA defines “education records” as “those records, files, documents and other materials which contain information directly related to the student and are maintained by an educational institution.” Because grades are considered part of a student’s education record, they may only be posted in a manner that does not violate FERPA.

Permissible Methods of Posting Grades:

1. Posting grades in a secure course management system like Blackboard is the preferred method of on-line grade distribution at the University.
2. The University’s official method of correspondence with students is through the student’s University assigned email address. Therefore, it is acceptable to send a student’s grade to her/him via her/his official University assigned email address. This includes the institutional assigned accounts that are @g.uky.edu (Google) and @l.uky.edu (Microsoft).
3. Other methods of grade distribution may be acceptable. However, faculty should consult with the Office of Legal Counsel to determine if those methods are legal.

Prohibited Methods of Posting Grades:

1. Faculty members are not permitted to post grades by using the student’s Social Security Number, or any portion thereof.

2. Grades may not be posted by using the student's University identification number or any portion thereof.
3. Grade information may not be given over the phone.
4. Grades may not be sent via postcard.

For questions, please contact the Office of Legal Counsel at (859) 257-2936.

References:

Family Educational Rights and Privacy Act of 1974 (FERPA)

KRS 164.283 Student Academic Records Confidential