



CSU Virtual Learning Student Privacy Rights

FREQUENTLY ASKED QUESTIONS

Q: Do privacy rights change with a transition from in-person to virtual learning?

A: No. Because of the COVID-19 pandemic, CSU has moved to virtual learning and faculty are providing their courses to students via tools allowing recording of lectures, which may also include recording student participation. Faculty should provide the same level of privacy in the virtual instruction as they provided in person and should consider the recording to be a private record to be reviewed only by registered members of the class.

Q: Should students be informed that a course is being recorded?

A: Yes. Faculty should inform all students/participants in their classes that the class session is going to be recorded. Faculty must offer appropriate accommodations to participants who choose not to be recorded. If students do not want their likeness or image included in the recording (that will be made and available for classmates to view) they must let the instructor know and may elect not to participate via video recording.

Q: Do students have a privacy right to the comments they make in the virtual classroom?

A: Yes. Students have a right to not have their comments in class disclosed to others who are unconnected with the class, but the faculty members and their classmates may hear their questions and comments without violating FERPA¹.

Q: Are there recommended features/settings, regardless of the video conferencing platform/solution that best ensures compliance with FERPA regulations?

A: Yes. Here are the recommended Meeting Host settings/features that are commonly available across most video conferencing solutions available today:

- Meeting Invitations are sent directly to participants, not aliases or website postings
- Turn ON the “waiting room” feature where the FERPA disclaimer can be presented ~5min prior to the session start time

¹ FERPA is a federal law (20 U.S. C. Section 1232g and 34 C.F.R. 99) that protects all student education records maintained by an educational institution.

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