

The University Senate of Michigan Technological University

Proposal 4-15

(revised: 11 February 2015)

(Voting Units: Academic)

“Access to Student Records, Learning Management Systems and Permanent Record Systems”

I. Background

Traditionally, the gradebooks maintained by instructors have not been visible to other individuals; this is still the case today for those faculty who do not use a Learning Management System (LMS) to post grades. Currently, many academic units have a designated individual who has full access to LMS course content, including the ability to change grades; in addition, teaching assistants and other support staff may have access to such content. The intent of this proposal is to establish guidelines for proper access to LMS course information.

The Family Educational Rights and Privacy Act (FERPA) was developed to protect students' educational records. FERPA was implemented to prohibit the unauthorized *release* of a student's educational information. The prohibition of release is not the prohibition of the legitimate *access* to appropriate student records that is required by staff, faculty, and administrators for the daily operation of the university. Access, as per FERPA, may be determined by the university itself, and that is what this proposal clarifies.

This proposal also addresses a concern regarding faculty autonomy in the delivery of their courses. As faculty have traditionally had the choice of keeping their gradebooks in their own private records, they have a reasonable expectation of privacy over their gradebook information. This privacy should not be eroded by the introduction of electronic means of maintaining grades, and this proposal establishes limits on access that prevent such erosion.

Definition of terms:

- LMS: Learning Management System: An electronic course interface and repository (e.g. Canvas) that functions as gradebook, assignment list, and course calendar, among other functions
- PRS: Permanent Record System: An electronic archive (e.g. Banner) that maintains the graded record of student performance at the University
- Instructor: Primary or co-instructor of a course
- LMS assistant: Staff member affiliated with Information Technology or the Center for Teaching and Learning who is charged with LMS administration or maintenance

II. Proposal

The following individuals may have access to the *LMS* of a course:

1. The course instructor(s)
2. LMS assistants performing required tasks or maintenance
3. Support staff aiding in grade submission or other activities requested by an instructor
4. Teaching assistants performing job related tasks per an instructor's definition and requests

A course instructor's permission shall be obtained if a class's LMS is to be entered for any reason other than those defined above.

The following individuals and offices may have access to a student's *PRS*:

1. Registrar
2. Academic advisors
3. Dean of Students Office
4. Counseling Services
5. Institutional Analysis
6. Additional individuals designated by the Registrar's Office

An emergency situation, as determined by the Dean of Students, may override the restrictions on LMS and PRS access. Any such emergency access shall be accompanied by timely notification of the instructor. Otherwise, any access not covered by any of the categories specified above constitutes an unauthorized release of information.