Third-Party Tools and Making Student Work Public - Some Considerations

Asking students to post their work – whether it is posting in a publicly accessible blog, responding through social media, or creating material using a third-party online tool – has its advantages and potential problems.

Advantages of Making Things Public

- It is easy for students to see what they learn relate to and has an impact on the real world
- Students are often motivated by the public nature of their work. For example, high Google/search engine ranking, high number of views, or comments by an outside expert help them feel that their work is appreciated by the world. The fact that their works are viewed by people other than the instructor often compel them to produce better quality work.
- Making things public allow for crowd-sourcing of comments and diversity view points.

Potential Problems

- **Privacy issues**: By posting information, or requiring posting on a public website, you may be exposing student’s personally identifiable information (e.g. name), which is protected under FERPA to the public. This poses potential legal issue, particularly if a student had opted to restrict such information from being disclosed. (See below for more information about FERPA.)
- **Question of how to maintain a safe learning environment** in a public space where the instructor has limited control of access
- **Intellectual property concerns**:
  1. Students have the right to choose whether or not to publish their work publicly.
  2. When you and your students upload content onto third-party services and the content is accessible by members outside of the class, be aware that you could potentially violate copyright and fair use. For more information, see
     - UChicago Library's Guide on image research, in particular, Citing Images
     - University of Chicago Copyright Information Center
     - The older version of the same infographic with more detail. (Source: The Visual Communication Guy Blog, “Can I Use that Picture? The Terms, Laws, and Ethics for Using Copyrighted Images”.)

   - **College Art Association has an abundance of useful resources for fair use in visual arts, including a Code of Best Practices in Fair Use for the Visual Arts**
   - **Unintentionally stepping on a PR/controversial topic land mine**, especially when using social media. For example, see this story on the University of Kansas suspending David W. Guth, a tenured journalism professor, over a tweet.

FERPA: Student records/information are confidential

The Family Educational Rights and Privacy Act (FERPA) requires that universities have privacy policies in place to protect student information and data, which include (but are not limited to) names and grades. Also, students have the right to opted to restrict their information from being disclosed. As instructors, you are obligated to follow these policies and student preferences for information disclosure. You can read about University of Chicago’s Policy in Student Manual.

In certain cases, you can address privacy issues by:

- Using code names instead of student real names
- Include a note on FERPA in the syllabus to inform students of their rights. Here’s a sample note:
  
  "We will be utilizing discussion and collaborative tools via a blog on tumblr that show a student’s name and email address. If you are concerned about FERPA privacy rights and do not wish for your name and email to be visible to other students, please contact me via email to set an appointment during office hours to discuss options during the first week of class.""

For questions regarding FERPA, see University Registrar's web page or email them at registrar@uchicago.edu or call 773.702.7891.

Policies

- Family Educational Rights and Privacy Act (FERPA)
- University of Chicago Policy in Student Manual
- University of Chicago Social Media Policies, especially Personnel Policies - Social Media (Guidelines for the responsible use of blogs, networking sites, and other social media for staff employees.)