

## Policy for Subsequent Use of UGACard Photo

The UGACard is the official University of Georgia identification card for students, faculty, staff, official campus visitors, and their dependents. The UGACard includes a color photograph, taken by the UGACard office (“UGACard photo”). The purpose of this policy is to prescribe the University of Georgia’s subsequent use of the UGACard photo taken of a UGA student after a UGACard is made for the student.

### ***A UGACard photo is an education record under FERPA.***

The University of Georgia Office of the Registrar does not include “student photograph” within its definition of directory information (located at: [http://www.reg.uga.edu/ferpa\\_privacy\\_act/ferpa\\_for\\_faculty\\_and\\_staff](http://www.reg.uga.edu/ferpa_privacy_act/ferpa_for_faculty_and_staff)). The UGACard photo qualifies as an education record as defined by the Family Educational Rights and Privacy Act of 1974 (FERPA) because the UGACard photo is a record which directly relates to a student maintained by the UGACard Office. The UGACard Office ultimately reports to the Dean of Students, who is the custodian of these education records.

### ***Requirements for Subsequent Use***

FERPA controls the Dean of Students’ subsequent use of the UGACard photo. In general, a student must provide to the Dean of Students, or a designee, a signed and dated written consent before the Dean of Students, or a designee, will approve the disclosure the UGACard photo. The consent must:

- Specify records that may be disclosed;
- State purpose of disclosure; and
- Identify party or class of parties to whom disclosure may be made.

Absent a signed and dated written consent, pursuant to FERPA, the Dean of Students, or a designee, **may** (but is not **required to**) disclose the UGACard photo to a school official with a legitimate educational interest. Before disclosing the UGACard photo, the Dean of Students, or a designee, must make the determination whether or not a school official has a legitimate educational interest in the UGACard photo.

In accordance with FERPA, a school official has a legitimate educational interest if the official requires access to an education record in order to fulfill his/her professional responsibility. This includes such purposes as:

- performing appropriate tasks that are specified in her/his position description or by a contract agreement
- performing a task related to a student's education;
- performing a task related to the discipline of a student;
- providing services for the student or the student's family, such as health care, counseling, job placement, or financial aid.

Legitimate educational interest does not convey inherent rights to any and all student information. The law discriminates between educational interest, and personal or private interest; determinations are made on a case-by-case basis. Educational interest does not constitute authority to disclose information to a third party without the student's written permission.

For more information regarding other circumstances where an education record may be shared without prior consent (e.g. health and safety emergencies), please refer to the UGA Office of Registrar’s website at [http://www.reg.uga.edu/ferpa\\_privacy\\_act/ferpa\\_for\\_faculty\\_and\\_staff](http://www.reg.uga.edu/ferpa_privacy_act/ferpa_for_faculty_and_staff).