



The reality is that approximately 12% of Americans report having a disability. The ADA addresses this by requiring employers to provide reasonable accommodations to

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Imagine this - Sam, a senior, comes to you to ask if you can complete a letter of recommendation to enroll in graduate school. While considering the recommendation that you could provide to Sam who received a C- in your class, FERPA pops into your head - the Family and Educational Rights and Privacy Act. You recall that FERPA is the federal law that restricts disclosure of student educational records without a student's written consent, unless an exception applies. So, you ask yourself - Do I need Sam's written consent to provide a letter of recommendation to the several graduate schools to which he is applying?

If your answer is "No", you would be correct. FERPA regulations and JCU's FERPA Policy provide an exception for disclosures to officials at another university where the student seeks or intends to enroll, or where the student is already enrolled, as long as the disclosure is for the purpose of the student's enrollment or transfer. Also, the student - Sam in this case - has to be the one to initiate or request that you provide the recommendation. 9

If you wonder if Sam can inspect a copy of the letter of recommendation, that depends on whether Sam has waived in writing the right to inspect the letter. The University does have to provide to the student, upon request, a copy of the letter of recommendation given to the other university, unless the student has waived the right to view the recommendation. Students often waive the right to see the recommendation letter so that the university to which the student is enrolling or transferring will be assured that the recommendation letter is candid. The waiver is often contained on the application or transfer form for the university to which the student is applying or enrolling. Or, the

University has a FERPA Consent Form - <http://webmedia.jcu.edu/legalaffairs/files/2015/10/REQUEST-TO-RELEASE-RECORDS-10-13-15.pdf> - that faculty and staff can use to permit the student to consent to disclosure to others, and to waive or not waive the right to inspect a letter of recommendation. This form also can be used to obtain written consent of the in

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orations between EU-based faculty and JCU faculty, and academic research incorporating data of EU-based individuals. Once GDPR takes effect, universities affected by the regulations will need to document why they need to process and keep EU resident data. GDPR requires consent of EU residents to use and process data on them. EU individuals also can request information as to why their data is being processed, when it is being processed, who is receiving the data, how long it will be stored, and who the original source for the data is. Individuals then can object to incorrect data or object to the grounds for processing and keeping their data.

Generally to prepare for GDPR's effective date, JCU is updating the Sensitive Data and Security Policy and reviewing necessary steps to be compliant with GDPR. Information Technology Sereviewinnnnnnnnn(st)10o