

**Middle Tennessee State University**  
Office of Compliance and Enterprise Risk Management  
Ethics, Privacy, and Confidentiality Subcommittee

March 19, 2020  
Skype Meeting, 10:00am – 11:00am

**Meeting Minutes**

Attendees

B. Burkhart; K. Musselman; Dr. A. Whittenberg; H. Zimmerman; B. Jones; Dr. J. Gardner; H. del Callar; G. Stephens

Guests

B. Petryshak

Absent

Dr. M. Wilson

J. Whitefield

1. **Meeting Minutes of 11/5/19.** Committee members reviewed the meeting minutes. Hearing no objections, Ms. Stephens asked for a motion to approve the meeting minutes from November 5, 2019. The motion was made by Dr. Justin Gardner. The motion was seconded by Kathy Musselman. The motion passed.
  
2. **Letter of Concern from Faculty Senate regarding Policy 121, Privacy of Information.** Ms. Stephens commented that the letter of concern from Faculty Senate could be addressed by referencing several University policies that provide for the monitoring and safeguarding of student, faculty, and employee privacy and confidentiality. Ms. Stephens further commented that the University's policies referencing privacy monitoring are, and were, reviewed by various MTSU departments including, but not limited to: University Counsel; the University Registrar; ITD and the Chief Information Officer; Student Affairs; and the Office of Compliance and Enterprise Risk Management. Dr. Justin Gardner ("Dr. Gardner") commented that a response to Faculty Senate outlining five or six points to address their concerns would be sufficient. Such a response also would help the Senate understand that ITD was not the sole monitor of student and faculty privacy concerns. Vice President Bruce Petryshak ("VP Bruce") explained that the President, Vice Presidents, Board, University Counsel, and others review policies, including Policy 121. VP Bruce further commented that he would be willing to reference other privacy policies in Policy 121. Ms. Stephens agreed to draft a five-point response to Faculty Senate's concerns with review by the Committee.

3. **Adding a FERPA provision on Faculty Syllabi.** Ms. Stephens reminded the Committee that student educational records still need to be protected even with the transition from in-person to online classes. Ms. Stephens recommended that Faculty include a FERPA provision on all course syllabi. Dr. Gardner agreed that Faculty needed FERPA reminders. He additionally agreed to present the recommendation of Ms. Stephens to Faculty Senators.
4. **Updates from the Office of Compliance and Enterprise Risk Management.** Ms. Stephens informed the Committee that two FERPA cases/allegations were presented to her office for investigation; both cases involved graduate students. One case was finalized in late February, and one was being finalized within the next week. Ms. Stephens additionally informed the Committee that the annual FERPA and Ethics video trainings are being updated for a Fall 2020 release to all Faculty and staff.
5. **Roundtable.** There were no roundtable updates from Committee members; however, Director Ben Jones later wrote that the Accounting and Finance areas continue to update their processes with the use of electronic forms and include confidentiality and privacy information on forms, as needed.
6. **Adjourn.** The meeting adjourned at 10:31am.