

Ask the FERPA Professor: Can students grade each other's quizzes?

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Dear FERPA Professor,

We have a student who is concerned about how an instructor grades quizzes in class. The instructor has the students exchange the quiz with one another to grade them. Upon completion, the instructor has each student sign his or her name at the bottom of the quiz they have just graded. A student has inquired if this is a FERPA violation. My thought is that it could be because the students in the class are seeing each other's quiz grades.

I would like some guidance on how to reply to the student, the instructor, and the department.

A FERPA Observer

Dear FERPA Observer,

The practice of students exchanging papers in class and grading them was the subject of the U.S. Supreme Court case, *Owasso v. Falvo* (2002). The issue concerned the point at which such student graded tests become education records, as defined by FERPA.

(See §99.3 Education Records (a) in the FERPA regulations, found on page 154 of the [AACRAO 2012 FERPA Guide](#).)

Because the exchanged, graded tests had not yet been collected and maintained by a school official, they would not meet the definition of an education record. You can also find a brief summary of the Falvo case decision on page 2 of the [2012 FERPA Guide](#).

Hope that helps!

The FERPA Professor
