

Virginia House Bill 1

What is HB1?

Virginia House Bill 1 (HB1) took effect July 1, 2018 as Code of Virginia Section 23.1-405(C). It prohibits a university from disclosing a student's email address, physical address, or telephone number under the exception in the Family Educational Rights and Privacy Act (FERPA) for directory information unless the student has affirmatively consented in writing to the disclosure. Full text of the law can be found at <https://law.lis.virginia.gov/vacode/23.1-405>.

Key points regarding this bill:

- This legislation covers students in all academic programs.
- The EMU-assigned email address is not exempt from the requirements.
- Faculty and staff will be able to access this information in the EMU directory when logged into myEMU. Student email addresses will no longer be in the Google Address List.
- Faculty and staff will be able to share this information with other faculty and staff for University-related purposes.
- Students will no longer be able to find contact information for another student through the EMU directory or through the Google Address List.
- Faculty and staff cannot share this information with students.

FAQs

✓ [How can I find a student's email address?](#)

Student email addresses are available to faculty and staff in the EMU directory when logged into myEMU. Student email addresses will no longer be available in the Google Address List, meaning they will no longer autocomplete as you begin typing the name of a student in the To field of an email you are composing.

✓ [How can I email a group of students in a compliant way?](#)

When sending an email to multiple recipients, faculty and staff must avoid disclosing students' email addresses to other students. Therefore, when emailing multiple students, you must add the students' email addresses in the blind carbon copy (bcc) field. You may also send messages through Moodle, EAB SSC Campus, or an EMU Broadcast List.

✓ [Can a student give consent to disclose their email address, phone number or address?](#)

Yes. They can give consent in writing and by email. There is no central database to track whether a student has provided consent. Consent will need to be obtained on a case-by-case basis. The student can sign a form or send an email from their EMU address. The form or email should contain language such as the following:

"I affirmatively consent to the internal, non-public disclosure of my address, telephone number and email address solely for the purposes of 1) internal use within the University community, including facilitating email communications and student directory information and 2) internal use in the University processes. I understand that my contact information will not be publicly available."

✓ [Can faculty and staff provide contact information to students on a team, student organization or program?](#)

Faculty and staff may not distribute lists of group members that includes student email address, phone number, or physical address without written consent from each student whose information is provided. In such cases you may wish to distribute a sign-up sheet with the consent verbiage as noted in the FAQ above, or request that the students reply to an email clearly granting their permission for their contact information to be disclosed to other members of the team, student organization, etc.

✓ [I have student workers who routinely access the email address, phone number, or address of other students as a part of their job. Do I need to remove their access?](#)

Student workers are permitted to access this information as part of their job duties and HB1 does not apply to them in their role as a student worker. They, like other employees, must be made aware that they may not disclose this information, but no additional action is needed for them to continue to access student contact information.

✓ [Can I use Moodle to communicate with students in my class?](#)

Yes, Moodle does not reveal student email addresses to other students.

✓ [Can I disclose contact information to third parties that we do business with?](#)

HB1 permits EMU to disclose student information to a third party contractor provided that EMU's relationship with the contractor satisfies FERPA's "school official" exception for FERPA-protected data. EMU must have a contract with the vendor and maintain control over their use of the information.

✓ [As a student, how do I find another student's contact information?](#)

The legislation prohibits EMU from disclosing a student's contact information to another student without written consent. Therefore, the University cannot directly provide you with another student's contact information. You may obtain a classmate's contact information directly from them.

