

POLICY MANUAL

Date of Issue: 3/8/00

Policy # GME-8242-014

Revisions: 01/01, 10/03, 8/07

Department of Primary Responsibility:
Academic Division – Graduate Medical Education

Subject: CONFIDENTIALITY OF ACADEMIC
RECORDS

Distribution: Program Directors, Residents,
Department Chairs

POLICY:

Buckley Amendment. The Family Educational Rights and Privacy Act of 1974, commonly known as the Buckley Amendment, comprehensively govern confidentiality of academic records. Accordingly, the United States Department of Education has produced clarifying guidelines that are binding on the Ochsner Clinic Foundation Graduate Medical Education Programs. In addition, the Ochsner Clinic Foundation as represented by the Graduate Medical Education Committee (GMEC) has adopted a policy that covers institutional matters. Generally speaking, faculty members are not denied access to educationally related information concerning students provided there is a legitimate educational need to know.

However, the confidentiality of the information must be maintained. Further, the faculty member is obligated to maintain the confidentiality of certain information routinely generated within the course of residency training. Instructors are cautioned not to release information found in residents' academic files except where it is necessary in writing recommendations, which have been requested by the resident. Specific details regarding confidentiality are available from the Department of Graduate Medical Education.

Department of Graduate Medical Education:

The several types of information stored in the Department of Graduate Medical Education may be divided into two general categories: information that is a matter of public record and information considered confidential.

Information of public record includes: name, address, telephone number, photograph, dates and program of an enrollment; information concerning any degree earned, such as the name of the degree, the date granted, the major, and any associated honors, work history and experience, society memberships and publications.

However, under federal statute a student may direct that this type of information, as well as data heretofore considered proper for publication in directories, be withheld from dissemination without his or her consent. To determine if a resident has requested that information of this kind be withheld, faculty members are cautioned to check with the Department of Graduate Medical Education before giving out any information.

Records considered confidential include:

- a. **The resident's academic record.** The official academic file for all Ochsner Clinic Foundation (OCF) residents appointed to accredited residency programs sponsored by the Accreditation Council for Graduate Medical Education (ACGME) are housed in the Department of Graduate Medical Education. Copies may not be released to either institutions or individuals except at the express request of the resident. The record is available to program directors and faculty members who have a need to know and subject to the discretion of the Executive Vice-President/ Chief Academic Officer. The original file may not leave the Department of Graduate Medical Education.
- b. **AOMF disciplinary actions taken against a resident.** Indications of disciplinary action are made on a resident's permanent record only if the action results in probation, suspension or termination.

- c. **Personal information such as religion is considered confidential**, with release being made only by the resident's authorization. Racial data is collected as required by law so that anonymous statistics can be compiled. The individual information is then destroyed. It is understood that the law forbids discriminatory use of such data.

- d. **"Directory Information," if a resident has specified that he or she does not wish it released without his or her consent.** This includes the student's name, address, telephone listing, photograph, date and place of birth, major field of study, participation in officially recognized activities and dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the resident, work history and experience and society membership.

SIGNATURES:

William W. Pinsky, M.D.
Executive Vice President for System Medical
Affairs/Chief Academic Officer

Hector O. Ventura, M.D.
Chairman
Graduate Medical Education Committee