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| <b>Policy Title:</b><br>Confidentiality of Student Records        | <b>Category:</b><br>Institutional Policies and Guidelines  |
| <b>Accountable Dean or Director:</b><br>Dean of Medical Education |  |
| <b>Reviewed By:</b><br>Curriculum and Policy Subcommittee (CaPS)  | <b>Approved By:</b><br>Executive Oversight Committee (EOC) |
| <b>Effective Dates:</b><br>AY2022/23                              | <b>Review Dates:</b><br>TBD                                |

**RELEVANT LCME STANDARDS:**

11.5 Confidentiality of Student Educational Records

**PURPOSE AND SCOPE:**

To outline the policy and procedures with maintaining student data confidentiality and sharing of information as appropriate.

**POLICY:**

The Icahn School of Medicine at Mount Sinai (ISMMS) recognizes that confidentiality is very important to students. It is a basic right and privilege, and we believe that the issue of confidentiality is part of the trust that we expect and value among students, teachers, and administrative personnel. The following clarifies the protection of information related to students:

**I. Health Information**

1. All student health information is protected information. There should be no sharing of information except as provided by HIPAA for the care of the student as patient. Teachers, administrative personnel, and deans may not receive health information from students' health care providers except as provided by HIPAA.
2. There is certain information that hospitals and health care facilities require as a condition of employment. That information includes PPD, immunizations, and in some cases, evidence of toxicology results. Students will be informed that that information is being shared as obtained by Student Health as composite data (we only know who does not comply with completing this information and then would deny clinical privileges but do not know the exact results).
3. Toxicology screening is an institutional requirement. Any positive result will be reviewed by senior administrative representatives of the Deans (Graduate School and Medical Education). The School may require a toxicology screen from any student at any

time without need for a stated reason. Failure to comply with toxicology testing in the timeframe required will result in dismissal from school.

4. There are times when the Administration may ask a student to comply with an Administrative Psychiatric evaluation. When it is decided that such an evaluation is necessary, the student will be informed and will be apprised of the list of questions that will be sent to an administrative evaluator (usually a psychiatrist). Students do not have the option to decline such an evaluation when required and would be dismissed from school if they fail to comply. The information referred back to the School will be discussed with the student and will remain in the student's file which can only be opened by a Dean, the Dean's official representative, or if requested as a legal document.

## **II. Academic Information**

Academic information is maintained by the School Registrar.

1. Students have access to their academic file for review but will not be given copies of their file.
2. The Registrar will not permit dissemination of the file information without the signed consent of a student unless required by law in accordance with FERPA Policy.
3. Any student wishing to review their file may do so in the presence of the Registrar or Dean's Designee coordinated through the Office of the Registrar.
4. If a student seeks counsel from a director, dean, teacher, or ombudsman, that information should remain confidential between the student and that individual.
5. Access to a student's academic information is determined by FERPA. Only those persons (school officials) with a "legitimate educational interest" have access to all or parts of a student's academic record.
6. Course directors, Instructors, and clerkship directors do not have access to the student file, only school officials, including, but not limited to Deans, Student Affairs personnel in the School of Medicine may access the file.
7. School officials are defined as individuals who require access to a student's education record in order to fulfill their professional responsibility.
8. The Empower SIS is a web based system, in which only those individuals, who have been identified with a legitimate educational interest, have access to view the student's academic information.
9. The Office of the Registrar determines legitimate educational interest and provisions school officials within the Empower SIS, limiting access, based on their respective role
10. Any plan to discuss information (e.g., Office of Student Affairs Representative or Program Director with one of the Dean's) should be with the student's knowledge and consent.
11. Exceptions to this confidentiality include concerns about the safety of the student, someone related to the student, or the student's dependent. Safety concerns include suicidal ideation, homicidal ideation, harming another individual, substance dependency, behavioral or health concerns that may affect the student or others.