

March 10, 1999

MEMORANDUM

To: GSA Student Affairs Representatives
GSA Registrar Representatives
ERAS School Liaisons
ERAS Program Liaisons

From: Joseph A. Keyes, J.D., Senior Vice President and General Counsel

Subject: Transcripts

At the fall meeting of the AAMC Advisory Committee for the Electronic Residency Application Service (ERAS), the Committee discussed the matter of how to handle the transmission of medical school transcripts when a student has attended two medical schools in the course of earning the M.D. degree.

At present, the Dean's Workstation (DW) at each medical school is the site where the applicant's medical school transcript, Dean's Letter, and faculty recommendations are uploaded to the ERAS PostOffice. A small number of graduating seniors start medical school at one school and transfer to a second school where the degree is granted. Many schools include on their transcript only credit earned at that institution, thus necessitating the need to send a transcript for work completed at the first school. Some medical schools are scanning in the transcript from the first school with the transcript from the school where the student will receive the degree. At the Advisory Committee meeting, questions were raised about the legal risks inherent in this procedure. The Advisory Committee asked the AAMC to review these legal risks and to make recommendations regarding alternative procedures.

An academic transcript is an official document issued by an institution to report the educational record of a student to parties outside the institution. The Federal Family Rights and Privacy Act (FERPA) and accompanying regulations governing the disclosure of educational records place duties on the reporting institution: 1) they may be disclosed only at the request of the student; and 2) records must be kept of the occasion and purpose of the disclosure. Thus, it seems clear that a transcript should be sent only when the institution is requested to do so by the student and a record of where and when a transcript is sent and for what purpose should be maintained. This scheme would seem to place a parallel burden on the recipient of the transcript. That is to use the

transcript solely for the purpose for which it was sent and to honor the responsibility of the originating institution to certify its authenticity and accuracy. To send a copy of this transcript on to a third party, either via the mail or through the ERAS system, means that the conditions set forth in FERPA for transcript transmittal have not been met. We recommend that schools discontinue this practice.

We recognize the needs of program directors to see the entire medical school record for those candidates being considered for residency positions. We suggest the procedure described below to provide residency program directors with the full medical school record in electronic form and, at the same time, comply fully with FERPA.

The student sends a request to his/her first medical school requesting that a copy of his/her transcript be sent via ERAS to ---- programs. The first medical school sends the transcript to the second school, signing on the same form that the transcript is issued for the sole purpose of insertion into the ERAS system. The second school includes this documentation with the transcript from the first school and scans the documents in as part of the 'transcript' file in the ERAS Deans Workstation.*

We encourage you to review your current practices and this recommendation with your institution's legal counsel. For your reference, we have enclosed a copy of the AAMC Guidelines for Academic Transcripts.

If you have any questions or concerns, please contact Frankie Hall (202-828-0680)**. I would be happy to discuss any legal matters with your legal counsel (202-828-0555).

* The NUMBER of programs to which the student is applying, and NOT the names of those programs, should be provided in this space. The first medical school should maintain, for its records, a list of the programs to which the former student is applying and to which the transcript is being sent, but it should not include this list on, or as an attachment to, the transcript. The student has a right to confidentiality regarding the programs to which he/she is applying.

** Inquiries should be addressed to Robert F. Sabalis, Ph.D. at this telephone number.

cc: Frances R. Hall
Gwynne Kostin

Updated 7/27/01