



**TO:** President's Executive Management Team

**FROM:** MariLynn Lewy

**SUBJECT:** Pick-A-Prof Request for Information

**DATE:** August 29, 2008

Su-hua Men received an email request on August 5, 2008, from Jaime Sutton, Director of Campus Relations at Pick A Prof. The request was asking for a grade distribution for all formal courses taught at MCC for the spring 2008 term "under the Florida Public Records Law." He was also requesting a spring 2008 schedule of classes. He preferred the information be submitted to him electronically rather than in paper format. Specifically, he wanted the report to contain the following for any courses with more than ten (10) students enrolled:

- Course Title
- Course Number
- Section Number
- Reference Number
- Professor Name
- Number of Students Completing the Course
- Number of A's assigned
- Number of B's assigned
- Number of C's assigned
- Number of D's assigned
- Number of F's assigned
- Number of students that dropped

He understood the information could be compiled in accordance with FERPA (Family Educational Rights and Privacy Act).

Pick A Prof describes themselves on the web as "a socio-academic utility that helps college students make educated decisions about professors and classes. By combining an extensive amount of academic information directly from university records along with social networking data, Pick-A-Prof gives you virtual snapshots of classes from how professors teach to which sections friends are going to take." Individuals who go to their Web site (<http://www.pickaprof.com/>) can select a school. MCC is currently not listed. On their site, students can look at professor rankings, ratings and evaluations. They promote the service by stating that students can look to see the classes their friends are signing up for and even design a schedule that can be uploaded to their FaceBook page.

A lot of discussion has ensued on our local list-serves about these requests and I compiled a few positions other colleges have taken:

- 1) Miami-Dade College has had several requests and forwarded them to the legal department who in turn stated it was not covered under FERPA and they would have to provide the information. To my knowledge, they have not yet compiled and submitted the information.
- 2) TCC has been providing the information every fall and spring for over a year. Their attorney confirmed it was a public record.
- 3) Valencia said they would provide it to the company if they were willing to pay for the programming since it wasn't a report they were currently generating for any purpose at their College. They haven't heard from the company since they told them a cost would be involved.

I would like to recommend that Steve Prouty be consulted to determine if in fact we have to disclose this information based upon their request to Su-hua Men under FERPA guidelines. If we have to release the information, I would also recommend we take the same stance as Valencia and charge for the programming of the report. This is a company that is profiting from institutional information while skirting around state and federal laws. If we have to legally disclose the information, I believe it would be in our best interest to charge the vendor for programming a report that they would use for their business purposes. I would also recommend that Computer Services be consulted to determine the cost that is charged to the vendor which would be the cost per hour for employee time multiplied by the number of programming hours to determine the cost.

If you would like further information or clarification, please let me know.

mjp