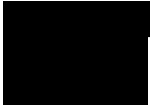




5 August 2019

ADVISORY OPINION

Reference No. DPO 19-36A

FOR : 

SUBJECT : **Inquiry on Posting of List of Exempted Students
From Final Exams**

Dear ,

Thank you for your keenness to data privacy. We commend your prudent action to inform your co-faculty to refrain from posting lists of students exempted from final exams.

Lists of students exempted from exams cannot be posted

Lists of students who are exempted from exams cannot be posted either physically or electronically because disclosing that a student is exempted from an exam is disclosure of educational information. Educational information is classified as sensitive personal information ([Data Privacy Act](#), Section 3(L)(2)) which generally may not be processed save for specific exemptions permitted by the law (DPA, Section 13).

Even if student numbers are used, it is still prohibited. Personal information is defined as "any information whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained" (DPA, Section 3(G)). Since student numbers can be used to ascertain the identity of a student, it is personal information and hence may not be processed without the consent of the student or a ground under the law.

Particular to the University of the Philippines is that our student numbers are government-issued numbers. Government-issued information particular to an individual are sensitive personal information (DPA, Section 3(L)(3)). Hence, unlike private universities, student numbers in UP are not just regular personal information but are *sensitive* personal information.

Third-party platforms cannot be used to post information

We note that posting of student information (educational information, student numbers, etc.) through Facebook, FB messenger, Viber, and other platforms are not allowed for the following reasons:

First, using these platforms mean that UP is storing information in the servers of external parties. This amounts to unauthorized transmission and unauthorized storage of personal information (DPA, Section 25).

Second, there are stringent requirements for government institutions (such as UP) before they can grant online access to its information ([Implementing Rules and Regulations of the Data Privacy Act](#), Section 31). Even assuming that these third-party platforms are allowed by law to store and transmit government information (*i.e.* UP information), there are Technical Security Measures that have to be first complied with (Implementing Rules of the DPA, Section 28).

Please feel free to reach out for further concerns.

Regards,

(Sgd.) Elson B. Manahan
Data Protection Officer
University of the Philippines Diliman