

# JACKSON HEALTH SYSTEM

(MAINTAINING STUDENT RECORDS)

## ANNUAL NOTICE

ACPE 304.4; 306

**This ACPE CPE center/ program guarantees to its students the rights to inspect and review education records, to seek to amend them, to specified control over release of record information, and to file a complaint against the program for alleged violations of these Family Education and Privacy Act (FERPA) rights.**

The *Family Education Rights and Privacy Act (FERPA)* applies to all ACPE CPE programs. *FERPA* addresses *privacy* not *confidentiality* issues. This means students own the information about them and must know what is being collected and how it is being used. Their information cannot be shared without their written permission.

**A student record is: (1) any record (paper, electronic, video, audio, biometric etc. directly related to the student from which the student's identity can be recognized; and (2) maintained by the education program/institution or a person acting for the institution.**

- Application materials are subject to particular state privacy laws for their retention, use and destruction. If no applicable laws exist, the center creates, publicizes, and follows its own Annual Notice protocol.
- The center must retain the following items from the student record for ten (10) years:
  - Supervisor's evaluation report
  - The student's self-evaluation report, if submitted.
- **The application face sheet must be retained indefinitely. At the ten year review, site visitors will reconcile the report of student units with the face sheets.**
- The storage, use, retention and destruction of all other student record materials must also be outlined in the center's Annual Notice Protocol/Student Record Policy.

**Directory Information is student information not generally considered harmful or an invasion of privacy if released.**

- Common directory information includes: name, address, email, telephone, date of birth, religion, previous education, and photograph.
- At JHS common directory information includes: name, address, email, telephone, religion, and photograph. *All other information is released only with the student's written, signed, and dated consent specifying which records are being disclosed, to whom, and for what purpose.* At JHS, this directory information is for departmental use only. This information is placed in a central, but private, location for by staff and interns.
- *All other information is released only with the student's written, signed, dated consent specifying which records are being disclosed, to whom, and for what limited purpose.*
- Before releasing information, students must have received the *Annual Notice*.
- Current students can restrict directory information and/or record access at any time during attendance by completing form located in student handbook. Students may opt out by completing the form located in the student handbook Section IV-page 58.

- Restrictions must be honored even after the student's departure. Former students cannot initiate new restrictions after departure
- The student must have received the Annual Notice prior to release.
- Current students may restrict directory information and/or record access at any time during attendance and must be honored following the students departure. Please inform your supervisor if you are restricting your common directory information once you leave the program. Former students may not initiate new restrictions after departure.

**Subject to notification, the student's name, address, denomination and unit of CPE successfully completed will be sent to the ACPE office on the Student Unit Report upon completion of each unit of CPE.**

- A copy of the CPE supervisor's evaluation report will be given to the student. The student will be informed that the center will keep this evaluation for a specified period of time and it will not be available to anyone else except with written permission from the student. If the student's own evaluation is included, it will be kept with the supervisor's evaluation and subject to the same provisions. (Note "Exceptions" below)
- Students are responsible for maintaining their own files for future use. The center will not keep a permanent file of evaluation reports (See Annual Notice for center's particular protocol). Students will be informed at the time copies are given to them that it is their responsibility to keep copies for future use.
- CPE students are expected to give written consent for copies of the supervisor's evaluation reports (and their own if applicable) to be sent to their theological school.
- Supervisory Notes: The CPE Supervisor may keep process notes on a student. These process notes are for the exclusive use of the writer and are not considered a part of the student's record. They should be kept separately from the student record.

Exceptions: Certain exceptions concerning the release of information exist to protect the health or safety of the student or others, and for the purpose of accreditation or complaint review, or as required for legal processes. Before releasing material in any of these circumstances, consult with the ACPE Executive Director or Program Manager.

Records Management: Centers must have written protocols for student record retention and destruction (how long records are kept, where, custodian; how destroyed) and for student review of records. Protocols must be followed consistently.

- **A student has the right to object to record content. If not negotiable, the written objection will be kept with and released with the record. Grades are exempted from this right.**
- The JHS ACPE Supervisor and the Assistant Administrator/CPE Coordinator are the custodians and educational officials for the JHS CPE program and may have access to student records without student consent.
- When an ACPE program closes, the Regional Accreditation Chair arranges to secure and store all student records of the closed center. The Accreditation Commission Chair and ACPE office will be notified of the records' location.
- The center shall keep student records for at least ten years and shall not be accessible to anyone outside the CPE center except with written permission from the student.

(After ten years, the center may destroy the student record except for the face sheet with identification information.)

- In the absence of an ACPE Supervisor or Associate Supervisor, only the appointed designee indicated in the center's policy for student record management is authorized to retrieve student records with a student's written request and written authorization.
- The center shall keep supervisors' evaluations and student's self-evaluation report, if submitted, for at least ten years. These records shall not be open to anyone outside the CPE center except with the student's written request. (Note "Exceptions" above). After ten years, the center must keep the face sheet with identification information, but may destroy the supervisor's evaluation report and the student's self-evaluation report (if submitted).
- Health records (mental and physical) must be kept in locked, limited access files, separate from other student records. Their use and release is subject to ADA and HIPPA. Certain safety and employment records are also subject to other federal regulations and state laws, and are kept separately.
- Material written by students, such as verbatims and case histories that contain information about other persons, including other students, will either be destroyed or, if they are part of the student's record, will have the identifiable information about everyone other than the student redacted. When peers are referenced in student's evaluations, only initials should be used.
- FERPA requires students be able to review their record within 45 days of student's request (may be less). Record inspection may not be denied based on the student's inability to come to the site or outstanding financial obligations. In the latter case, a center can note on the copy sent, "not available for official use". If a student record contains identifiers of another student or person, those must be marked out. The *Annual Notice* details record maintenance protocols and should include whether/how students may copy their records.

### Digital and Electronic Student Records

1. Centers must maintain student records, either digitally or on paper, in compliance with ACPE Standards and the center's policy for student records management.
2. Digital and Electronic student records have the same storage requirements as paper records.
3. Digital records must have at least one backup separate from the original hardware location. Backups should be dated and updated at least monthly or in accordance with institutional guidelines.

**Violations of these protocols may be reported to the Chair of the Accreditation Commission at: ACPE, One West Court Square, Suite 325, Decatur, GA 30030.**

**Persons Seeking Certification as a CPE Supervisor:**

**Students must give written permission to the use of their clinical material as well as recorded and/or live observation media pertinent to the supervisor's process toward certification as an ACPE Supervisor by signing Appendix 5 Consent Form, ACPE 2016 Certification Manual. Note: Only the Appendix 5 Consent Form is acceptable for obtaining students' written permission to use personally identifiable material. Students being accepted into a unit of CPE are to review and sign the Appendix 5 Consent Form prior to formal admission to a Clinical Pastoral Education Program or a unit of CPE Level I/Level II supervised by a Supervisory Candidate or Associate Supervisor. See ACPE 2016 Certification Manual, General Certification Policies.**

- Following the action of a regional certification committee or the Certification Commission, and when the time limit for appeal has lapsed, all materials submitted about students will be destroyed.
- A regional certification committee and the Certification Commission may keep on file a face sheet of the person seeking certification, copies of the Presenters' Reports, and copies of all Action Reports on the person seeking certification. Other materials should be returned to the person seeking certification.
- ACPE may keep on file a copy of the face sheet and regional certification committee Action Reports, copies of all Certification Commission Presenters' Reports, and copies of all Certification Commission Action Reports.

*Research:* If information in student records or in a CPE supervisor's records is considered of research value, and a CPE center or ACPE desires to collect and use such material for research, a release form shall be made available for the person's signature. No personally identifiable material will be used for research without the person's written permission for its use.

