

**UPSTATE UNIVERSITY HOSPITAL
Clinical Pastoral Education Program
ANNUAL NOTICE 2016**

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. Each CPE center must publicize this *Annual notice* of its protocols for proper handling of student records.

This ACPE program guarantees to its students the following:

1. The right 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.
2. A description of what constitutes directory information at this center and how to opt out.
3. The definition of student records.
4. Details of the centers record's management protocols which include a student's 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.
5. Violations of the protocols may be reported to the Chair of the Accreditation Commission at ACPE, One West Court Square, Suite 325, Decatur, Georgia 30033-4635.

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

- This center defines directory information that will be released without specific consent unless a student "opts out". Common directory information at this Center will be limited to name and religion. *All other information is released only with the students 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. Restriction must be honored even after the student's departure. Former students cannot initiate new restrictions after departure.

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The student record consists of 1).any record (paper, electronic, video, audio, biometric etc) directly related to the student from which the students identity can be recognized: and 2.) maintained by the education program/institution or a person acting for the institution.

- Application materials of students admitted and matriculated are part of the student record.
- Application materials for others are subject for particular state privacy laws for their retention, use and destruction. If no applicable laws exist, the center creates, publicizes and follows its own protocol.

Subject to notification, the student's name, address, denomination and unit of CPR successfully completed will be sent to the ACPE office on the student unit report at the completion of each unit of CPE.

ACPE requires that the CPE student record include the face sheet with directory information, the CPE supervisor's evaluation report and the Supervisor's Evaluation Cover Sheet (*located in ACPE Standards Appendix 7 D-1*) and the student's own evaluation report.

- 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 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 or evaluation reports. 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.
- The CPE Supervisor may keep process notes on students. These process notes are for the exclusive use of the writer and are not considered a part of the student's record. They are 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

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complaint review, or as required for legal processes. 'Before releasing material in any of these circumstances the program will consult with the ACPE Executive Director, Assistant Director and any applicable Upstate University Hospital personnel.

Records Management: Protocols for record retention and destruction 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.

When an ACPE program closes, the regional accreditation chair arranges the secure storage of all student records of the closed program. The Accreditation Commission Chair and ACPE office will be informed of the records' location. In the event that the Clinical Pastoral Education program should cease to exist, student records will be sent to the national ACPE office and maintained there in accordance with ACPE Standards.

CPE student files will be maintained for a period of ten (10) years. These records shall not be open to anyone outside the CPE center except with the student's written request or permission.

(Note exceptions above). After (10) years the center will destroy the student record except for a face sheet with identification information. The CPE program will not keep a permanent file with evaluation reports past the ten (10) year limit. The student will be informed that it is his/her responsibility to keep copies of evaluations for future use.

The official record will consist of application materials and references along with the admission.

Interview summary of students admitted and matriculated, the CPE Supervisor's written final

Evaluation report and the student's written evaluation report.

Material written by students such as verbatims and case histories that contain information about other persons will not be part of the official student record or, if they are part of the student's record, will have the identifiable information about everyone other than the student redacted.

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Material on persons other than students will be destroyed unless used for Pastoral research and training with written permission from the student.

Supervisory notes are not a part of the official record and are the property of the supervisor.

Health records, (mental and physical) are kept in locked, limited access files separate from the other student records. Their use and release is also subject to ADA and HIPPA. Certain safety and employment records are also subject to other federal regulations and state laws and are kept separately. At Upstate, health records are maintained at Employee Health.

Students are able to review their record within 45 days of student's request (maybe less). Record inspection will 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." When a student record contains identifiers of another student, those must be redacted.

Student files are maintained in a locked cabinet in the CPE Training Room. Access to Student records is restricted to the CPE Supervisor of the program, although access to an individual student's record may be permitted for the purposes of research, Accreditation review, or in the event a complaint is filed. No evaluation reports will be released from the file without the written request of the student and a signed release.