

ANNUAL NOTICE TO STUDENTS

CHI St. Luke's Health-Baylor St. Luke's Medical Center CPE Learning Center Student's Rights and Responsibilities: Records & Privacy

The Annual Notice: This document, published annually prior to the CPE program start, describes our CPE Center's policies and procedures in handling and maintenance of students' records. Under federal and state law, students have certain rights regarding student's privacy and records maintained by this Learning Center. This notice is to make students aware of these rights. The Annual Notice appears in this Center's *Students' Handbook* in addition to other sources at the Center's discretion.

Federal Laws Regulating Student Records and Privacy: CHI St. Luke's Health-Baylor St. Luke's Medical Center CPE Learning Center conforms to federal regulations known as the *Family Educational Rights and Privacy Act* (FERPA). The purpose of FERPA is to provide students with rights regarding access and privacy of their educational records. *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. FERPA guarantees students the right to inspect and view their academic records. It also prohibits this CPE Center from releasing information from students' records to any third party unless the student authorizes the release.

I. Summary of Students' Rights

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.* See Section VI of this document for detailed information about these students' rights.

II. Constitution of Directory Information and How to Opt Out

• Directory Information

Directory Information is information that is generally not considered harmful or an invasion of privacy if released. The primary purpose of directory information is to allow the Center and students the ability to contact each other in case of an emergency, delays, snow days, unpredictable schedule changes, or when Hospital operators need to reach on-call chaplain residents, etc.

This Center has designated the following as directory information: student's name, address and telephone (including local and permanent address), e-mail address, date and place of birth, religious affiliation/denomination, previous education, major field of study, dates of attendance, degrees received, professional certifications, photograph, student CPE level, type of program in which enrolled, most recent educational agency or institution attended, employee badge ID number, job title, computer logon and user ID, and full-, part-time, or volunteer status.

The Center may disclose appropriately designated "directory information" without written consent, unless the student has advised the Center to the contrary in accordance with the Center procedures for

* Required by ACPE Accreditation Manual Appendix 7 B

CHI St. Luke's Health-Baylor St. Luke's Medical Center CPE Learning Center is accredited for Level I/II and Supervisory CPE by the Association for Clinical Pastoral Education, Inc.,

1549 Clairmont Road, Suite 103, Decatur, GA 30033, 404-320-1472, www.acpe.edu.
Certified Supervisors: The Rev. Ted Smith, The Rev. Sarah Knoll Sweeney, and The Rev. Ed Hennig

“opting out.” Before the Center releases any information, students must have received the *Annual Notice*, which contains information about the option to opt out.

Center Reporting to ACPE: Subject to notification, the student’s name, address, religious affiliation/denomination, gender, race, email, program type, and unit of CPE successfully completed will be sent to the ACPE office on the student unit report at the beginning and completion of each unit of CPE.

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 purpose.

- **Option to Opt Out**

Current students can restrict directory information and/or record access at any time during attendance.

- Restrictions must be honored even after the student’s departure.
- Former students cannot initiate new restrictions after departure.
- **To opt out or restrict**, students need to send a written, signed, dated “opt out” request to the Registrar.
- When the Opt-Out form is not received, appropriately designated directory information will be released.
- Exceptions: See Section IV.

III. Definition of Student Records

A Student’s Record is defined as:

- (1) any record (paper, electronic, video, DVD, audio, biometric, etc.) directly related to the student from which the student’s identity can be recognized; and
- (2) maintained by CHI St. Luke’s Health-Baylor St. Luke’s Medical Center CPE Learning Center or a person acting for the program/institution.

IV. Details of the Center’s Record Management Protocols

Students have 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. *

- **CPE Student Record:** ACPE requires that the CPE student record include the face sheet with directory information, the CPE supervisor’s evaluation report and the student’s own evaluation report, if submitted.
 - **Evaluations:** 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)

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- **Student's Records kept in this Center's files** by student category/status:
 - **Applicants for admission to CPE programs:** application materials, references, and communication through email/letters, and any past CPE evaluations sent as part of the application materials.
 - **Students accepted and enrolled in a current CPE program:**
 - ⇒ **Office File:** application materials, supervisor's and student's final evaluations, Educational Consultation reports, the Agreement for Education, and the Release of Information-Consent Form.
 - ⇒ **Supervisor's File:** teaching/learning material presented in group and individual supervision. Supervisor's process notes are not part of student records.
 - **Former CPE Students (from ten years ago to current):** Student records include: the application face sheet, the supervisor's evaluations, the student's self-evaluations, the Agreement for Education, and the Release of Information-Consent Form.
 - **Former CPE Student (older than ten years ago):** the application face sheet.
 - **Supervisory Notes:** The CPE Supervisors 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 will be kept separately from the student record.

- **Disposal of Confidential Material:** This Center disposes of all confidential material by shredding provided by a commercial Records and Information Management company.
 - The Center will destroy reference letters sent in the application process once students have been accepted into the program. The records of students not selected are destroyed by the end of the program's selection process with the exception of the application face sheet for Center records only.
 - Students' records are destroyed after 10 years from the last day of the unit with exception of the application face sheet which constitutes a permanent record.

- **Release of Information**
 - The Center will not release any student records, including evaluations, to anyone without the student's written consent.
 - **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, the Center will consult with the ACPE Executive Director or Associate Director.
 - **Records Management:** This Center has written protocols for student record retention and destruction (how long records are kept, where, custodian; how destroyed, etc.) and for student review of records. Protocols are followed consistently. Detailed information is available in this Center's Student Handbook, section 304.4.

- **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.

V. Education Officials and Persons with Legitimate Education Interest

- **Education Officials:** Refers to the Center's certified CPE Supervisors, Ted Smith, Sarah Knoll Sweeney, and Ed Hennig, supervisory education students and Supervisory Candidates, ACPE members of the Southwest Region Accreditation and/or Certification Committees, ACPE members of the Accreditation and/or Certification Commissions. [FERPA § 99.31(a)(1)]
- **Persons with Legitimate Education Interest:** Refers to a person who has a legitimate education interest and needs to review an educational record in order to fulfill his or her professional responsibilities for the Learning Center and its responsibilities to ACPE, Inc., both regionally and nationally. Within this Center, these people may have access to students' records without student consent.

Persons with legitimate educational interest within this Center are persons at CHI St. Luke's Health-Baylor St. Luke's Medical Center working in conjunction with its CPE Program, such as persons in administrative, supervisory, academic, research, or support staff positions, and persons associated with ACPE's regional and national offices, committees, and commissions, those involved in certification and accreditation processes, ethics and complaints inquiries, research, curriculum design and development, supervisor peer reviews and consultations, persons serving on the Professional Consultation Committee, and other enterprises related to conducting a CPE Center.

VI. Students' Rights & Responsibilities

• Student's Rights

Under the Texas Government State Laws and Regulations, the Family and Educational Rights Privacy Act (FERPA), and this Center's Policies & Procedures, students have a right to:

- **Inspect and review** their educational records within 45 days (may be less) of a written request sent to the Department's Supervisor faculty. Copies may be requested, but the Center's records cannot be removed from the office.
- **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.
 - **Amending Records:** Students may request to amend records about themselves for the purpose of correcting inaccurate or misleading records, or records that violate their privacy or rights. Students may place in their records a written statement/addendum with their disagreement with the Center only if the Center does not amend records after they have requested amendment.
 - **Adding Addendum to Evaluation:** Upon receipt of the supervisor's evaluation report, students have ten (10) working days to be in conversation with their supervisor about the report. Students can respond formally with a written addendum, if they choose, only after they have discussed the evaluation report with their supervisor. If they choose to respond by writing an addendum, they will have ten (10) working days from the time their supervisor gave them the report in which to file a written addendum.

- **Specify control over release** of record information by consenting to disclosures of information which identify the student personally, except to the extent that such disclosures are allowed without the student's consent under state and federal law.
 - Be informed about what constitutes Directory Information. See Section I.A. above for details.
 - **Opt out from the Center's Directory Information/Roster.** See Section I.A. above for details.
 - Obtain a copy of this Center's policies and procedures regarding Students' Record Management, which is available in the *Students' Handbook* Section 3.2.4.
 - **Report violations** of these protocols to the Chair of the Accreditation Commission at: *ACPE, 1549 Clairmont Road, Suite 103, Decatur, GA 30033.* *
 - **File a complaint** with the United States Department of Education against the Center for alleged violations of FERPA rights.
- **Students' Responsibilities**

Students are responsible for:

- **Requesting to restrict or opt out** from Directory Information/Roster, students need to send a written, signed, dated, "opt out" request to the Registrar. When the Opt-Out form is not received, appropriately designated directory information will be released.
- **Maintaining their own files** with signed paper copies of all CPE evaluations received and written. The Center will not keep a permanent file and/or evaluation reports beyond the ten-year limit dates. Students will be informed at the time copies are given to them that it is their responsibility to keep copies for future use.
- **Giving written consent** for copies of the supervisor's evaluation reports and their own to be sent to their theological school, if applicable.

VII. Information for Students Supervised by ACPE Supervisory Candidates

- Units supervised by Supervisory Candidates will be recorded (DVD and/or audio) for their certification and learning purposes only. Units supervised by the Certified Supervisors, Ted Smith, Sarah Knoll Sweeney, and Ed Hennig, will not be recorded. If students have concerns about being part of a unit that will be recorded, they shall note that in their application face sheet by the unit/program selection and during the admissions interview.
- Student information may be used, *only* with the student's written consent, in three scenarios:
 - (1) Unit material (written material such as verbatims, DVD's of group and/or individual supervision sessions, etc.) may be reviewed by this Center's Certified Supervisors and supervisory education students for learning purposes only.
 - (2) A selection of some unit's material may be reviewed by the ACPE certification committee/commission during the supervisory candidate's certification process if the candidate is presenting the current unit.

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- (3) Students' verbatims may be used by supervisory candidates in teaching/learning seminars with the student's written consent or the identity of the student will be redacted.
- Persons seeking certification as a CPE supervisor will not use personally identifying material about CPE students without the written permission of the student. Thus, either the identity of the student must be redacted or the student must give written permission to use the material.

VIII. Information for Supervisory Education Students

- 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. See Certification Manual, page 55, for time limit details.
- ACPE's regional certification committee and the Certification Commission may keep on file a face sheet of the person seeking certification, copies of Presenters' Reports, and copies of all Committee Action Reports on the person seeking certification. Other materials should be returned to the person seeking certification.
- The ACPE national office 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.

IX. Reporting Violations

Students have the right to:

- **Report violations** of these protocols to the Chair of the Accreditation Commission at: *ACPE, 1549 Clairmont Road, Suite 103, Decatur, GA 30033.*
- **File a complaint** with the United States Department of Education against the Center for alleged violations of FERPA rights.

Revised 5/2014 (update reflected in Student Handbook, Agreement for Education and website)