

# McLeod Regional Medical Center

## Clinical Pastoral Education

### Family Education Rights and Privacy Act Annual Notice (Standard 304.4)

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.

**I.** 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. McLeod Health is partnered with Carolinas HealthCare System (CHS) and is a satellite center of CHS. McLeod Health offers CPE under the guidance of CHS.

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

Directory information includes:

1. name,
2. address
3. email
4. telephone
5. date of birth
6. religion
7. previous education
8. photograph
9. *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. Restrictions must be honored even after the student's departure. Former students cannot initiate new restrictions after departure.

In order to initiate restrictions, students should send a written, signed, dated "opt out" request to the CPE Secretary (CHS).

**III.** 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 of students admitted and matriculated are part of the student record.

Application materials for others 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 protocol.

**IV.** McLeod/Carolinas HealthCare System's ACPE records management policy states that:

Application materials other than directory information are reviewed and discussed with Supervisors on staff, Supervisory Education Students and members of Professional Advisory Group serving on the Admissions subcommittee.

After a candidate has been accepted, their applications and any material added during the educational process are kept in locked files in the offices of the CPE Supervisor, as well as the CPE Secretary, during the course of the program. **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.**

After the student's departure, folders are only kept in locked Alumnae files. Only the following, when applicable, will be kept:

- i. Application face sheet;*
- ii. Supervisor's and student's evaluations for each unit of CPE at Carolinas HealthCare System/McLeod Health;*
- iii. Any professional meetings (mid-year or Level 2 consultations, ACPE Certification consultations/meetings);*
- iv. Release of written materials, agreement for training, agreement to follow HIPPA.*

After 10 years, records will be shredded except for student face sheet, which will remain in locked files in the office of the CPE Secretary.

Written clinical material which is prepared in a manner to disguise the patient and chaplain's identity may be maintained at the discretion of the Supervisor for use in research and teaching. Students may request that any or all of their clinical materials (excepting those required to be kept in the center files by ACPE Standards) be returned to them at the conclusion of their program, thereby removing them from the department files.

A copy of the CPE Supervisor's evaluation report will be given to the student. Students are responsible for maintaining their own files for personal use, but may secure copies of their application face sheet and Supervisor and self evaluations by written, signed, dated request to McLeod Health. McLeod will destroy all documents except for the face sheet after 10 years. Students will be informed at the time copies are given to them that it is their responsibility to keep copies for future use.

As long as student records are kept, they will be handled within the guidelines of federal and state confidentiality laws, being available to the CPE student, the CPE Supervisors, and others engaged in the supervisory or accreditation process of CPE. Materials from those records may also be used to protect the health and 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 CPE program at McLeod Health/CHS will consult with the ACPE Executive Director or Associate Director. With these exceptions noted, material will be released only to the student, and only by written request. Otherwise, it will be destroyed.

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 part of the student's record. They will be kept separately from the student record.

Students will be able to review their record within 45 days of student's request. Record inspection cannot be denied based on student's inability to come to the site or outstanding financial obligations. In the latter case, the CPE program at McLeod Health will note on any copies sent, "not available for official use." When a student record contains identifiers of another student, those must be redacted.

If the CPE program at Carolinas HealthCare System ceases to be accredited, all records will be forwarded to the ACPE national office.

- V.** McLeod Health's CPE program defines an “education official” as all Supervisors and Supervisory Education Students employed by Carolinas HealthCare System or McLeod Health, as well as all CHS Supervisory Students and administrative staff with a legitimate educational interest. Legitimate educational interest is defined as information regarding the student that is necessary for employees to carry out their responsibilities in support of McLeod/CHS’s educational mission. A person who demonstrates legitimate educational interest will use student records only in the context of official business in conjunction with the educational success of the student. Within CHS/McLeod, people with legitimate educational interest may have access to student records without student consent. Access by these officials is restricted where practical, and only to that portion of the student record necessary for the discharge of assigned duties.
- VI.** An annual notification of students’ rights regarding their educational records will be made with the distribution of the policy on student records as included in the student handbook. The student handbook will be given out in orientation. This notification is also included in the acceptance letter to new students.
- VII.** Students denied entrance into a McLeod Health CPE program, will have their material destroyed six months after the unit begins. If the student expresses a desire for application to be held for future programs, the CPE program will do so.
- VIII.** 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, Phone: (404) 320-1472, Fax: (404) 320-0849, Email: [acpe@acpe.edu](mailto:acpe@acpe.edu).*