

ANNUAL NOTICE FOR MAINTENANCE OF STUDENT RECORDS
Clinical Pastoral Education – Baptist Health
Jacksonville, Florida

POLICY:

The Baptist Health ACPE CPE Center shall retain student records (files) in accordance with ACPE, Inc. Standards and the Family Education Rights and Privacy Act (FERPA) regarding the collecting/gathering, sharing, storing, and release of student information. This written policy and procedure serves as the Center's written *Annual Notice* as required by ACPE and FERPA.

PURPOSES:

1. To secure care, privacy, confidentiality, program accountability, and appropriate accessibility.
2. To ensure the ACPE CPE Center of Baptist Health adherence to FERPA, which means students own the information about them, will be informed what is being collected about them, and understand how the information is being used. Student information cannot be shared without their written permission.

PROCEDURE:

I. This ACPE CPE Center 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 FERPA rights.

A. The Center's *Annual Notice* is renewed annually.

B. The *Annual Notice* is published in the Spiritual Care section of the Baptist Health website and in the CPE Student Handbook.

C. During orientation the *Annual Notice* is reviewed orally with students.

II. This ACPE CPE center understands and communicates to students that directory information is student information not generally considered harmful or an invasion of privacy if released. Directory information includes: name, address, email, telephone, date of birth, religion, previous education, and photograph – and can be released without specific consent unless a student “opts out.”

A. The Center utilizes some directory information, as needed (i.e. to register students with ACPE for unit credit, for intranet promotion of staff within Baptist Health, etc.) 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. (*See Exceptions, Section IV.,B. of this policy*).

1. Prior to the beginning of each unit the center registers, and pays the required fee to the ACPE National Office, where the following directory information given: student's name, address, denomination, and level of unit. Within 21 days of the end of each unit the certified educator shall electronically register the student's completion using the same directory information.

2. A unit report form is placed in the Baptist Health Jacksonville office in front of the files for the relevant unit or year. The program evaluation summary is also placed in the same file.

B. Before releasing directory information, students will have received the center's *Annual Notice*.

C. Students are allowed to restrict directory information and/or record access at any time during attendance. Restrictions are honored even after the student's departure. Former students cannot initiate new restrictions after departure.

D. In order to initiate restrictions, students are required to send a written, signed, dated request to the Baptist Health System Administrator of Spiritual Care and Clinical Pastoral Education.

III. This ACPE Center understands and communicates to students that 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. Contents of student records vary as follows:

A. New Applicants: Pre-and Post-Interview files contain a face sheet and CPE application materials (autobiography, verbatim, religious developmental history, work history description, verbatim, goals and impression of CPE, any previous CPE student and certified educator evaluations, and any letters of recommendation). Records of applicants denied admission and who wish to be retained for a future unit may also include a copy of the letter of denial and a written interview summary. Otherwise applications are returned to the applicant or destroyed after decisions have been made.

B. Active Students: During review of the Annual Notice at orientation, students are made aware that application materials of students admitted and matriculated are part of the student record. In addition to the aforementioned application materials (section A.), an active student record includes but is not limited to; authorizations to visit patients, parishioners, or clients; access to appropriate clinical records and informed consent with regard to use of student materials; training agreement regarding center's policies and procedures protecting confidentiality and the rights of clients/patients; clinical site contracts; material written by students (verbatim, case histories, reflections, etc.), audio and/or videotape recordings, and any materials relevant to the educational process. (CPE Certified Educators may keep process notes on students. These notes are for the exclusive use of the writer, not considered part of the student's record, and are kept separately from the student record).

1. Files of Extended or Summer units and students taking additional units will be filed in the latest training year section.
2. Files of Residents completing several units will contain a certified educator's and student's evaluation for each training unit. Resident units end every 4 months – December 31, April 30, and August 31.
3. Certified Educators and students will refrain from using names and identifiable information of others in the evaluation. Pseudonyms, initials, or general references are acceptable with encouragement to focus on self dynamics and reactions.

D. Inactive Students: At the end of a training unit, files of students who have completed a unit are diminished to include only the ACPE application face sheet with additions of updated directory information, the certified educator's final evaluations, and the student's evaluations. Student's self evaluations are due by the end of the training unit. The supervisors' evaluation is due by at least 21 days after the end of the unit.

E. Veterans Administration (VA) Students: Students and residents who are in training sponsored by the VA are required by the VA to have the original VA application face sheets for each unit of training, along with the VA approval sheets for each unit of training.

Important Note: 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. Students may also add an addendum to any evaluation or document, indicating a disagreement.

IV. This ACPE CPE Center's records management protocols are as follows:

A. Storage/Disposal

1. All student files are kept in locked cabinets in the main spiritual care office on the downtown campus of Baptist Health. Student files are stored for a minimum of 10 years, after which student records may be destroyed, except for a face sheet with identifying information. Privacy documents are destroyed at this Center via a Secured Shredder Company.
2. Current student files and student files of completed units over the last two years are kept in the reception area, and are key accessed by only the System Administrator, Director of CPE and the Administrative Assistant. Files dating over two years are kept in a locked file cabinet in the director's private office.

B. Accessibility and Release

1. The administrative assistant shall have confidential management of CPE files as part of the basic job description. Other ACPE Certified Educators at this center may access files, but only via the director or secretary. Files must be kept confidential and returned to locked storage by the end of the workday. Should staff changes occur, the current senior management responsible for spiritual care would manage monitoring of files.
2. In the event that the center should cease to be without a certified educator and/or accreditation, student records will be transferred to the custody of whomever the ACPE Accreditation Commissioner shall designate in the absence of an ACPE policy directing centers to do otherwise.
3. Active students have a right to access their records at any time via the System Administrator, CPE Director or Certified Educator. Inactive Students will be able to review their records within 21 days of a student's request. Record inspection cannot be denied based on the student's inability to come to the site or outstanding financial obligations. In the latter case, the center will note on the copy sent, "not available for official use." When a student record contains identifiers of another student, those will be redacted.
4. Each student is responsible for retaining their own records to preserve certified educators' and self evaluations, levels of units completed, committee reports, and any application or learning process materials.

5. Students may request the center to forward evaluations to schools, denominations, or other CPE centers. (A copy of the CPE Certified Educator's evaluation will be given to students within 21 days after the unit has ended). Requests for grades or special reports must be made at the beginning of each unit, and will be deemed attachments to seminars to the student or certified educator's evaluation. All requests must be in writing, signed and specific. Students are responsible for retaining their own files for personal use.
6. VA students are required to allow access to their file by the VA representative for Approval of Training for purposes of program evaluation at the CPE Center.
7. When student information is considered to be of research value for this center of ACPE, a release form will 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.
8. Student records will be handled within the guidelines of federal and state confidentiality laws. Safety, employment and health records (mental and physical) will 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 also kept separately.

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, this Center will consult with the ACPE Executive Director or Associate Director.*

V. Baptist Health ACPE CPE Center defines an "education official" as all CPE Certified Educators and Certified Educator Candidates employed by Baptist Health, as well as the spiritual care administrative assistant. Those persons have "legitimate educational interest," which is defined as information regarding the student that is necessary for employees to carry out their responsibilities in support of the Baptist Health CPE educational mission.

- A. 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 Baptist Health Department of Spiritual Care, persons with legitimate educational interest may have access to student records without student consent.
- B. Approved members of the Professional Advisory Group, Human Resources Personnel, and staff chaplains (while not education officials) may be given temporary access to portions of student records for the purpose of admission interviews, consultation committees, and grievance/complaint processes.
- C. Periodically, educational officials may seek consultation from other ACPE certified educators and appropriate professionals from other disciplines for the purpose of providing a better quality educational experience for students. On these occasions the program certified educators may share selected student information with the consultant. Information will be limit to that which is necessary for the purpose of the consultation and steps will be taken to obscure the identity of the student.

D. Access by all the aforementioned officials and other persons is restricted where practical, and only to that portion of the student record necessary for the discharge of assigned duties. All application materials are to be kept in strict confidence.

VI. Protocols for Supervisor Education Students

A. Education officials, including Certified Educator Candidates may make audio visual recordings of their CEC practice with students for the purpose of critiquing and improving their supervisory practice, and for the purpose of ACPE certification requirements. Any recordings will be destroyed within one year unless the student(s) recorded give written permission for the center to keep the recordings for an extended time.

B. Following the action of a Certification Commission Reviewer and National Faculty Member; and when the time limit for appeal has lapsed, all materials submitted about students will be destroyed.

VII. Violations of these protocols may be reported to the Chair of the Accreditation Commission at: ACPE, 55 Ivan Allen Jr. Boulevard, Suite 835, Atlanta, GA 30308. Students also have the right to file a complaint with the System Administrator of Spiritual Care and Clinical Pastoral Education of Baptist Health or the local Professional Advisory Group if they believe their FERPA rights have been violated.