

READING HOSPITAL SCHOOL OF HEALTH SCIENCES POLICY NO. 325

SUBJECT: Family Education Rights and Privacy Act of 1974

Responsibility of: RSHS Program Directors
Revised: February 2020 Reviewed:

SCOPE: Students enrolled at Reading Hospital School of Health Sciences (RSHS).

PURPOSE: To assure compliance with FERPA guidelines

POLICY:

All student records are maintained on a confidential basis in accordance with the Family Educational Rights and Privacy Act of 1974.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. FERPA affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Students should submit a written request to the Program Director or other appropriate School official, identifying the specific record(s) they wish to inspect. The Program Director will make arrangements for supervised access and notify the student of the time, place, and conditions for inspection of the records. This review will be in the presence of the Program Director or designee. The RSHS is not required to provide copies of records unless, for reasons such as great distance, it is impossible for the student to review the records. A fee will be charged for requested copies.

2. The right to request the amendment of the student's education records that the student believes is inaccurate.

Students may ask the School to amend a record that they believe is inaccurate. They should write to the Program Director responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the student, the School will notify the student of the decision and advise the student of his or her right to a grievance process regarding the request for amendment.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by RHSHS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605**

DEFINITIONS: NA

PROCEDURE:

Directory Information

Generally, schools must have written permission from the student in order to release information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the parties under allowable disclosures (34 CFR § 99.31). Thus, according to FERPA, RHSHS may disclose appropriately designated "directory information" without written consent, unless the student has advised the school to the contrary.

In accordance with the Family Educational Rights and Privacy Act (FERPA), Reading Hospital School of Health Sciences has designated the following information about students as public (directory) information: Students current and maiden names, local and permanent address, email address, telephone number, date and place of birth, hospital issued photo ID, field of study, class, dates of attendance, enrollment status, diplomas, degrees, certificates, honors, and awards received, student ID number (requires password to access educational records), and participation in officially recognized activities.

Under the provision of the Act, students have the right to withhold the disclosure of "directory information" by notifying the Registrar's Office in writing. If you do not want the RHSHS to disclose directory information from your education records without your prior written consent, you must notify the Registrar's Office in writing by completing the attached form.

We will honor your request to withhold information, but does not assume the responsibility to contact you for subsequent permission to release this information. Regardless of the effect upon you, the RHSHS assumes no liability for honoring your instructions that information be

withheld. The school cannot be held liable for information that you share with students which is later released by the students.

If you elect to withhold directory information, several issues can and will arise. For example:

- Your name cannot be included in the commencement program when you graduate.
- We cannot confirm for employers, schools, insurance companies or other organizations that you are or have been enrolled.
- We cannot release any information about you to honors program or licensing agencies.
- Your name will not show on school lists such as the Director's List or in school sponsored yearbooks.

Procedure for Allowable Disclosures

FERPA permits the disclosure of students' education records, without consent of the student, if the disclosure meets certain conditions found in the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose information from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within the [School] whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in FERPA regulations are met. A school official is a person employed by the Reading Hospital whose assigned department is Reading Hospital School of Health Sciences. A School official is in an administrative, supervisory, academic or research, or support staff position (including security personnel and health staff); a person or company with whom the School has contracted (such as an accrediting agency, testing agency, attorney, auditor, or collection agent); a person serving on the RH Board of Trustees; faculty or students serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of FERPA
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the school's

education programs. Disclosures under this provision may be made, subject to the requirements of FERPA regulations, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the student is a dependent for IRS tax purposes.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency, subject to FERPA regulations. In an emergency, FERPA permits school officials to disclose without student consent education records, including personally identifiable information from those records, to protect the health or safety of students or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. This exception to FERPA's general consent rule is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student's education records. In addition, the Department interprets FERPA to permit institutions to disclose information from education records to parents if a health or safety emergency involves their son or daughter.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of FERPA. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of FERPA, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her.
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.

(This section retrieved from <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html>)

Note: Patient safety and regulatory requirements necessitate disclosure of some directory information for the purpose of ongoing background checks. RSHS is required to provide directory information to compliance departments for the purpose of completing monthly background checks as required by the organization (Tower Health Policy “Screening of Government Databases for Excluded Parties).

EDUCATION AND TRAINING:

REFERENCES:

US Department of Education retrieved from
<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Additional student resources related to FERPA are available at
<http://www2.ed.gov/policy/gen/guid/fpco/faq.html>

COMMITTEE AND COUNCIL APPROVALS: RSHS Directors Meeting, February 2020

CANCELLATION: Reading Hospital or Tower Health policies directly related to this topic shall supersede this RSHS policy. This policy supersedes all previous policies, memoranda, and/or other communications pertaining to this policy.

**Reading Hospital School of Health Sciences
Student Request for Withholding or Release of Directory Information**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that the RHSHS, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your education records. However, according to FERPA, RHSHS may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary. Directory information is defined in the accompanying FERPA policy. Under the provision of the Act, you have the right to withhold the disclosure of directory information.

Please consider carefully the consequences of your decision to withhold directory information. We will honor your request to withhold information, but cannot assume the responsibility to contact you for subsequent permission to release this information. Regardless of the effect upon you, the RHSHS assumes no liability for honoring your instructions that information be withheld. If you elect to withhold directory information, several issues can and will arise. For example:

- Your name cannot be included in the commencement program when you graduate.
- We cannot confirm for employers, schools, insurance companies or other organizations that you are or have been enrolled.
- We cannot release any information about you to honors program or licensing agencies.
- Your name will not show on the Director’s List or in yearbooks.

DIRECTIONS: Please mark the appropriate line to indicate your request for RHSHS to withhold your directory information. Once the form is submitted to the Registrar, restrictions will remain in effect indefinitely until you release RHSHS to allow disclosure of directory information by completing a copy of this form to request that the “withhold status” be removed.

_____ **Withhold – Please withhold Directory Information.**

_____ **Release – I have previously requested to withhold Directory Information and I am now requesting to have that the hold be removed and permit the release of my Directory Information.**

Name: _____ **Student ID:** _____
(Please print)

Signature: _____ **Date:** _____

Email: _____

Return this form to:
**Reading Hospital School of Health Sciences,
Office of the Registrar
PO Box 16052
Reading, PA 19612**