

Hawai'i Pacific Health Medical Assistant Program Student Confidentiality Policy

This policy applies to students enrolled in the Hawai'i Pacific Health Medical Assistant Program and the educational records kept by the program.

A student should contact their respective high school for questions regarding their high school educational records.

What are education records?

They are records directly related to a student and maintained by the institution or by a party acting for the institution. In many cases, written consent by the student is required to disclose the contents of an education record.

Are there conditions where prior written consent is not needed?

Yes, the student consent is not required for:

- Program officials with a legitimate educational interest. These are Hawai'i Pacific Health Medical Assistant Program faculty, staff, and administrators who require access in order to perform an appropriate educational, research, or administrative function as part of their professional duties. As program officials, these employees have a responsibility to protect the confidentiality of the records they can access. Neither curiosity nor personal interest constitutes a legitimate "need to know." In addition, third parties (contractors, consultants, volunteers, etc.) to whom the program has outsourced services or functions may be considered program officials and are subject to the same confidentiality requirements.
- Authorized representatives of the Hawai'i State Department of Education and/or a student's respective high school with a legitimate educational interest. These are faculty, staff, and administrators who require access in order to perform an appropriate educational, research, or administrative function as part of their professional duties. Information may also be shared when it is essential to support a student's completion of high school graduation requirements, and/or to support a student's overall well-being.
- Federal, state, and local educational authorities conducting an audit, evaluation, or enforcement of education programs
- Organizations conducting studies on behalf of educational institutions/programs
- Accrediting organizations
- Compliance with a judicial order or subpoena
- Appropriate parties in a health or safety emergency
- Directory information (see section below)
- Results of a disciplinary hearing to an alleged victim of a crime of violence
- Final results of a disciplinary hearing concerning a student who is an alleged perpetrator of a crime of violence and who is found to have committed a violation of the programs rules or policies
- Disclosure to parent of student under 21 if the program determines that the student has committed a violation of its drug or alcohol rules or policies

- Disclosure of information received under a community notification program concerning a student who is required to register as a sex offender in the state
- In any situation in which a student has a current signed waiver on file, additional consent may not be obtained

What is directory information?

Directory information is defined as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Typically, "directory information" includes information such as

1. Name of student;
2. Address;
3. Telephone;
4. Date of birth
5. Major field of study;
6. Past and present participation in officially recognized activities (including positions held and official statistics related to such participation and performance, honors and awards);
7. Past and present participation in officially recognized sports (including positions held and official statistics related to such participation and performance, honors and awards);
8. Weight and height of members of athletic teams;
9. Dates of attendance

At its discretion and in conformance with applicable state law, the program may disclose directory information to the public without obtaining a student's prior consent. Specific directory information about an individual student will not be released to the public if the student has affirmatively informed the program that he or she does not want any or all of those types of information about himself or herself designated as directory information. The procedures for an individual student or parent to opt-out of directory information is to send a letter with a valid picture ID (Driver's License, State ID, Military ID, Passport) informing the program of your wishes at the address above.

What are the training requirements as they relate to protection of data?

Users with access to personally identifiable information are required to complete the General Confidentiality Notice (GCN) annually.

How should Hawai'i Pacific Health Medical Assistant Program manage certain types of education records?

All employees and those with access are required to treat student education records in a protected manner. Student contact information may be freely used among program officials/staff within the scope of their professional duties. They will not be shared with third parties without a formal agreement such as a contract or memorandum of agreement.

How does the program's Student Confidentiality Policy apply to:

- **Addresses, email addresses and phone numbers:** Student contact information may be shared freely among program officials and as part of a student directory. However, it should not be shared with others, including classmates who may be receiving the same email message from a faculty member. Individual emails must reflect only the recipient's address. An appropriate way of handling this is to use the blind copy feature or a listserv.

- **Grades:** Personal identifiers such as name or student ID number should not be included with grades or scores and posted publicly. **Partial Student ID Numbers CANNOT be used.** In no case should the list be posted in alphabetical sequence by student name. An option is to use a code known only to the faculty member and the individual student. If scores or grades are posted publicly, use some code known only to the faculty member and the individual student. Grades and other academic information distributed for purposes of advisement should not be placed in plain view such as open mailboxes located in public places.
 - **Papers:** Graded papers or tests should not be left unattended on a desk in plain view in a public area nor should students' sort through them in order to retrieve their own work.
 - **Class lists/grade sheets:** These and other reports should be handled in a confidential manner and the information contained on them should not be re-disclosed to third parties. Copies of class lists containing Student ID numbers should not be routed in the classroom for attendance taking or any other purpose.
 - **Letters of recommendation:** Do not include information about students' grades or grade point averages in letters of recommendation without the written permission from the student. Students have the right to view the letter you have provided.
 - **Students' schedules:** Do not provide anyone with a student's schedule. Do not assist anyone other than a program or DOE employee who is acting in their official capacity as a program or DOE official in locating a student on campus. Refer such inquiries to the program manager or program administrator or administrative office of the respective high school.
 - **Lists of students:** Do not provide anyone with lists of students enrolled in your classes or programs for any purpose. Requests of this nature should be referred to the program manager or administrator. Exception: Lists may be provided proper consent has been obtained (Ex: Students previously signed a waiver that is still in effect allowing the use of their name for marketing/advertisement purposes. Only students who signed the waiver may be listed)
 - **Access:** Access is granted to the education record if there is a legitimate educational interest; for the purpose of educational, research or administrative function for the program; or to perform official duties.
 - **Parents:** Parents may access a student's education record if the student is age 17 or younger. The rights transfer to the student upon their 18th birthday.
 - **Employers:** Employers also do *not* have a right to educational information pertaining to a student. Program staff may be utilized as a reference. Those involved with the Hawai'i Pacific Health Medical Assistant Program may not share any protected information with Hawai'i Pacific Health when Hawai'i Pacific Health is acting as an employer and/or potential employer.

Student Rights

1. **The right to inspect and review a student's education records within 45 days after the day the Hawai'i Pacific Health Medical Assistant Program receives a request for access.** A student should submit a written request that identifies the record(s) the student wishes to inspect. The program official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the program I to whom the request was submitted, that program shall advise the student of the correct official to

whom the request should be addressed. Request may be submitted to: Hawai'i Pacific Health Medical Assistant Program, 55 Merchant St, 25th Floor, Honolulu, HI 96813.

2. **The right to provide written consent before the institution discloses personally identifiable information (PII) from the student's education records, except to the extent that the program's confidentiality policy authorizes disclosure without consent.** The program discloses education records without a student's prior written consent for disclosure to program officials with legitimate educational interests. A program official is a person employed/utilized by Hawai'i Pacific Health Medical Assistant Program in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the advisory board; or a student serving on an official committee, such as a disciplinary or grievance committee; or authorized personnel with the Hawai'i State Department of Education. A program official also may include a volunteer or contractor outside of program who performs an institutional/program service or function for which the program would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent. A program official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities.
3. **The right to seek an amendment if a student believes the contents are inaccurate, misleading, or otherwise in violation of their privacy rights.** A student who wishes to amend a record should write to the program, clearly identify the part of the record to be changed, and specify why it should be changed. If the program decides not to amend the record as requested, it will notify the student in writing of the decision and of the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.