



WASHINGTON LATIN FERPA & HIPAA NOTICES

The Family Educational Rights and Privacy Act (FERPA)

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. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents/guardians certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." Parents/guardians or eligible students have the right to inspect and review the student's education records maintained by Washington Latin. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents/guardians or eligible students to review the records.

Parents/guardians or eligible students have the right to request that Washington Latin correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent/guardian or eligible student then has the right to a formal hearing. After the hearing, if Latin still decides not to amend the record, the parent/guardian or eligible student has the right to place a written statement with the record setting forth his or her view about the contested information. Schools must have written permission from the parent/guardian or eligible student to release any information from a student's education record. However, FERPA allows Washington Latin to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies
- State and local authorities, within a juvenile justice system, under specific State law

Latin may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents/guardians and eligible students about directory information and allow parents/guardians and eligible students a reasonable amount of time to request that the school not

disclose directory information about them. Schools must notify parents/guardians and eligible students annually of their rights under FERPA.

The Health Insurance Portability and Accountability Act (HIPAA)

HIPAA sets standards for protection and sharing of individually identifiable health information, often referred to as protected health information (PHI). It includes the Privacy and Security Rules, and the Transactions and Code Sets. The Privacy Rule establishes guidance on how health care providers must protect patient information and outlines certain patient rights. Generally student health records submitted to the school are considered educational records and thus governed by FERPA. To learn the instances when HIPAA applies to health records for students at Latin, visit the Health Privacy Project <http://www.healthprivacy.org>.