

**Notification of Rights Under FERPA  
The Department of Chaplaincy Services  
Clinical Pastoral Education  
Presbyterian Hospital  
Albuquerque, New Mexico**

**ANNUAL NOTICE TO STUDENTS**

*The Family Education Rights and Privacy Act* (FERPA – Public Law 93-380), effective November 19, 1974 (as amended by Public Law 93-568, The Buckley Amendment), with final regulations published November 21, 1996 (20 U.S.C \*\*\* 1232g), including those regulations relating to FERPA promulgated by the Department of Education, require educational agencies and institutions to provide students with an annual notification of the rights available to them under FERPA.

The ACPE CPE program at Presbyterian Hospital provides Annual Notice to CPE students (current and past) of their rights under the Family Education Rights and Privacy Act. Prospective students are not covered by FERPA, or this Annual Notice, but it does serve to inform them of their rights should they be selected and undertake training in one of our CPE programs. Year around, this Notice will appear on The Presbyterian website which can be found by clicking on [http://www.phs.org/PHS/Chaplaincy/ACPE-CPE//Application\\_Process/index.htm](http://www.phs.org/PHS/Chaplaincy/ACPE-CPE//Application_Process/index.htm), as well as annually by: 1) publication in the department/student handbook; b) as part of the ACPE application Form for this Center's CPE programs; and c) as an attachment to the Letter of Acceptance as a student at Presbyterian Healthcare Services center for CPE.

FERPA provides 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 CPE Center receives the student's request for access.**  
A student should submit to the Director of CPE a written request that identifies the record(s) the student wishes to inspect. Only the CPE education file is available for review and inspection. The Director will arrange for access and notify the student of the time and place where the records may be inspected. If copies are requested of the file's content, the student will bear the reasonable charge of \$0.15 per page.
- 2) **The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.**  
A student who wishes to ask the CPE center to amend an education record should write the Director of CPE, clearly identify the part of the record that the student wants changed, and specify why it should be changed.

If the CPE Center decides not to amend the record as requested, the Center will notify the student in writing of the decision and the student's right to a

hearing regarding the request for amendment. The right to challenge the contents of an educational record may not be used to question substantive educational judgments that have been correctly recorded. For example, a hearing may not be requested to contest the assignment of a grade.

The student's request for a hearing must be made in writing to the Chair of the Professional Advisory Group who, within a reasonable period of time after receiving such request, will inform the student of the date, place, and time of the hearing. The Chair of the Professional Advisory Group will convene a five member sub-committee of the Advisory Group who will be chosen randomly to hear the student's request for amendment. A student may present evidence relevant to the issues raised before the Professional Advisory Group's sub-committee. The decision of the Advisory Group subcommittee will be final, will be based solely on the evidence presented at the hearing, and will consist of a written statement summarizing the evidence and stating the reasons for the decision, and will be delivered to all parties concerned. If the decision is in favor of the student, the education records will be corrected or amended in accordance with the decision of the hearing officer. If the decision is unsatisfactory to the student, the student may place with the education records a statement commenting on the information in the records or a statement setting forth any reasons for disagreeing with the decisions of the Professional Advisory Group's sub-committee or both. The statement will be placed in the education records, maintained as part of the student's records, and released whenever the records in question are disclosed.

**3) The right to provide written consent before the Center for CPE discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

The CPE Center will not disclose or release any information from the student's education record without the written request or consent of the student, with the exceptions that are authorized by the FERPA legislation. The major exception that permits disclosure without consent is disclosure to a CPE faculty member or agent with legitimate educational interests. A CPE faculty member or agent is a person employed by the Center in an administrative, supervisory, or support staff position; a person with whom the Center has contracted as its agent to provide a service on behalf of the Center for CPE; or a person serving on the ACPE Center's Professional Advisory Group.

A CPE Faculty member or agent has a legitimate educational interest if that individual needs to review an education record in order to fulfill his or her professional responsibilities for the CPE Center. A secondary exception that permits disclosure without consent is given to Accrediting organizations

carrying out their accrediting functions, such as ACPE, Inc. or the U.S. Department of Education.

4) **The right to opt-out of any or all of the information designated by the CPE Center at Presbyterian Healthcare Services as Directory Information.**

The CPE Center has designated the following student information as “directory information”: name, approximate age, place of birth, dates of attendance, and training status (i.e., , Extended CPE Chaplain, CPE Resident Chaplain). Because of the nature of our ministry and training, we do not provide home addresses, personal phone numbers, or personal emails to any telephone inquiry. Any release of additional personal information within the hospital or to outside sources will be done only with the consent of the student. The Solomon Amendment to FERPA requires, upon receipt of written request from any branch of the armed services, the provision of “student recruiting information” defined by federal law as: name, address, telephone numbers, age or date of birth, place of birth, class level, degrees received, major, and most recent educational institution attended. We will notify students of any such inquiry prior to responding.

A student enrolled in one of our CPE Center’s training programs who wishes to opt-out of Directory Information will need to request, in writing within the first five days of the program’s start, the specific information to be withheld from “directory information,” then sign and date the document and give it to the Director of the CPE program, who will in-turn, direct the CPE Secretary and Chaplaincy Department’s Senior Secretary to make a notation not to release any of the information stated in the student’s request. Students who do not make specific requests to withhold “directory information” will be assumed to approve the disclosure of such information. The CPE Center disclaims any and all liability for inadvertent disclosure of directory information designated to be withheld.

5) **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the CPE Center 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 20202-5901

