

FERPA for AIMC Berkeley Employees

As an employee at AIMC Berkeley, you will most likely encounter student and patient confidential information in the course of everyday work. This confidential information includes, but is not limited to, transcripts, applications, personnel files, exam grades, student and patient health records, personal and institutional information, and other written materials or electronic data. It also includes conversations about personal matters.

You may have access to records or other forms of individually identifiable information. All of these items are protected by the Family Educational Rights and Privacy Act of 1974 (FERPA). FERPA is a federal law that affords students certain rights with respect to their education records. The key aspects of FERPA that are important for employees to understand are:

- Every educational institution that receives funds from the U.S. Secretary of Education must comply with FERPA. AIMC Berkeley receives funding in the form of federal financial aid programs and federal grants. Failure to comply with FERPA could result in the college losing its federal funding.
- FERPA prohibits the release of information from a student's education record to any third party without a student's written permission. This means that our faculty, staff, and student employees cannot disclose personally identifiable information from a student's education record without the student's written permission. Exceptions to this rule (see policy for complete list) include the release of personally identifiable information from a student's education records for:
 - Individuals with a legitimate education interest
For example: advisors receive access to their advisee's academic information.
 - Certain governmental officials
 - Compliance with a judicial order or subpoena
 - Notifications for health or safety emergencies

The best practice for an employee is to never discuss information learned through a work assignment with anyone or to disclose any information unless you have permission from your supervisor to do so. Disclosure of personally identifiable information is not only unprofessional and unethical, but it violates AIMC Berkeley policy and federal law. Disclosure could result in immediate termination of employment with the college, as well as criminal and civil penalties. Be sure that you understand the requirements and standards for confidentiality for the office in which you work before you begin work.

Employee Statement of FERPA Understanding

As an employee at the Acupuncture and Integrative Medicine College (AIMC) Berkeley, I know that confidential information is used in the course of everyday work. This confidential information includes, but is not limited to, transcripts, applications, personnel files, student and patient health records, patient contact information, personal and institutional information and other written materials or electronic files. It also includes conversations about confidential information.

I understand, by virtue of my employment at AIMC Berkeley, that I may have access to records of other forms of individually identifiable information, the disclosure of which is prohibited by the Family Educational Rights and Privacy Act of 1974 (FERPA).

I understand that confidential information is never to be taken from the office or discussed with anyone outside of the office.

I acknowledge that I fully understand that the intentional disclosure by me of this information to any unauthorized person could subject me to criminal and civil penalties imposed by law.

I further acknowledge that such willful and unauthorized disclosure also violates AIMC Berkeley policy and could constitute just cause for disciplinary action including termination of my employment, regardless of whether criminal or civil penalties are imposed. The terms of this agreement remain in effect during and after my employment with AIMC Berkeley.

I have read the above and agree to maintain the confidentiality of student and patient records.

Signature

Print Name

Date