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CONFIDENTIALITY, PRIVACY & SECURITY AGREEMENT

Johnston Public Schools is a public school that requires compliance with confidentiality, privacy and security laws, including the provisions of:

1. The Health Insurance Portability and Accountability Act (HIPAA);
2. The Family Educational Rights and Privacy Act (FERPA);
3. The Rhode Island Educational Records Bill of Rights (RIGL 16-71-1-6);
4. The Individuals With Disabilities Education Act (IDEA);
5. The Regulations of the Rhode Island Board of Education for Elementary and Secondary Education.

UNDERSTANDING OF BASIC CONFIDENTIALITY, PRIVACY & SECURITY REQUIREMENTS

- Health Insurance Portability and Accountability Act of 1996 (HIPAA) required the Secretary of the U.S. Department of Health and Human Services (HHS) to develop regulations protecting the privacy and security of certain health information. The Privacy Rule, or *Standards for Privacy of Individually Identifiable Health Information*, establishes national standards for the protection of certain health information. The *Security Standards for the Protection of Electronic Protected Health Information* (the Security Rule) establish a national set of security standards for protecting certain health information that is held or transferred in electronic form.
- FERPA is a Federal law that is administered by the Family Policy Compliance Office (Office) in the U.S. Department of Education (Department). FERPA protects the educational records of students from improper disclosure.
- Under FERPA regulations, "disclosure" means to "permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written or electronic means to any party except the party identified as the party that provided or created the record." [34 CFR 99.3](#).
- FERPA defines "education records" as those that are: 1) directly related to a student; and 2) maintained by an education agency or institution or by a party acting for the agency or institution. [34 CFR 99.3](#). The IDEA incorporates FERPA's definition. [34 CFR 300.611](#) (b).
- Education records may be recorded in any manner, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, or microfiche. [34 CFR 99.3](#).

ADDITIONAL CONFIDENTIAL & PRIVATE INFORMATION

Confidential information may include personally identifiable information on a client & student, including information not specifically named in this agreement, obtained by observation, record or other disclosure, intentional or unintentional.

CONFIDENTIALITY AGREEMENT

By accessing the Johnston School District's electronic devices, sites, and distance learning plan, I agree to protect and keep confidential the educational records; all personally identifiable information and confidential information, including Protected Health Information (PHI) of Johnston School District students and their families consistent with the requirements of the within noted laws and regulations.

DISCLAIMER

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential, privileged information and/or confidential health information protected by law. Any unauthorized review, use, disclosure or distribution is prohibited. This information is intended only for the use of the individual or entity named above. If you are not the intended recipient, please notify the sender and delete the message and attachments without disclosure. Thank you.