

TECHNICAL ASSISTANCE SHEET MEDIA/INFORMATION ISSUES

In dealing with media or individual requests for information about our schools, we have to exercise a caution not to violate rules of privacy. Both Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act of 1996 (HIPAA) have distinct boundaries that when crossed by an employer, school person, or board member have resulted in litigation.

Parents and students put their trust in the stewards of education data to ensure a student's personal information is properly safeguarded. The information is used only for legitimate purposes and only when absolutely necessary. Summit Academy Management values this trust and strives to ensure the company is doing all it can do to protect the privacy of our students with usage of their data to improve the educational process. On the average, the police interact with one of our schools four times a month. The reasons for this interaction range from thefts, student unruliness, assault, and custody issues that may have arisen both in and/or out of the school setting. Also from time to time, a student may be involved in an altercation/incident outside of the school setting; but, is identified as a Summit Academy student in the media.

Listed below are the guidelines to ensure compliance with laws governing student and staff privacy issues:

- We can neither confirm nor deny that a student attends our schools
- We can neither confirm nor deny that a situation has occurred
- When an inquiry comes to you, your comment has to be “**no comment**” and then the call is redirected to Mr. David Norman
- Specific student information (a student's name) regarding an incident cannot be shared with anyone who is not directly involved in the investigation
- Details of either a staff incident or a student incident cannot be shared with unauthorized parties

In considering staffing issues and Health Insurance Portability and Accountability Act of 1996 (HIPAA) requirements, plaintiff's lawyer(s), the attorney(s) who represent employees, predict that privacy will surpass wrongful termination as the hot workplace issue of the 21st Century. Yet, the concept of privacy is so broad and so elusive that it is difficult to define. Privacy rights come up in situations involving drug testing, blogs, searches of electronic mail and files, hair and dress codes, arrest records, credit reports, and other off-duty conduct.

I sincerely hope this will assist you concerning these issues.

April 2, 2012