Compliance Tips for the Month – April 2020

FERPA and HIPAA During The Pandemic

As faculty and staff continue to work and provide services electronically and remotely, please remember the privacy of student educational records when teaching, communicating, and interacting with students online. Please also remember student and staff health care privacy and confidentiality during this unprecedented time, with the exception of mandatory case reporting required by federal and state health officials.

Additional guidance regarding FERPA and HIPAA during the COVID-19 Pandemic can be found, below, from the following resources:

- *FERPA & COVID-19* from the Department of Education's Student Privacy Policy Office
- *COVID-19 and HIPAA* from the DHHS Office of Civil Rights

Records Management

The MTSU Records Retention Database ("Database") will close on June 1, 2020 at the close of business for review of all records entries. The Database is being closed to prepare for the annual, State Records Holding Report ("Report") submission. The State has not yet adjusted the reporting date for the annual Report; therefore, the University is still required to submit the Report.

In preparation for the closure of the Database, the following are reminders, as the University continues to comply with State Records Management requirements during the COVID-19 pandemic:

1. The START DATE of the record starts the retention period of the record based on the record type/RDA code type. The START DATE is the earliest, known date of the records existence or development. Use this date when assessing the end date for destruction purposes.

2. Records stored on-site should contain only one record type. DO NOT include MORE THAN ONE record type/RDA code type in a records storage box.

3. Instructions regarding the Database and other items are in the menu of the Database.

4. Destruction of records must be requested through the Database.

Finally, and until normal operations of the University resumes, assistance and/or training regarding the Database will be handled remotely through Skype-for-Business or Zoom meetings. For Records Management and/or Database questions or needs, please contact RDAretention@mtsu.edu, which is monitored daily. You may also contact me directly (gene.stephens@mtsu.edu) and/or Hector del Callar at hector.delcallar@mtsu.edu.

For archive needs, please contact the University Archivist, Donna Baker, directly at donna.baker@mtsu.edu.

Thank you, and have a safe April.

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