

Release of Treatment Records Policy

Accommodations for individuals with disabilities in accessing these policies are available upon request by emailing accessiblepolicy@wcupa.edu

Purpose and Scope

The Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA), and guidance recommendations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), to Student Health Records is a federal law that led to national standards that protect sensitive patient health information from being disclosed without the patient's consent or knowledge. In accordance with the law, this policy protects student patient privacy and accessibility to treatment records at West Chester University.

Policy Statement

Student Health Services (SHS) and Counseling and Psychological Services (CAPS) treatment records are confidential documents and will only be released with proper written authorization of the patient or when permitted by law.

Policy Framework

Under FERPA, treatment records (including counseling records) are generally considered to be education records. Under a narrow exception in FERPA, a "treatment record" meets three criteria. A treatment record based on the 2016 Dear Colleague Letter must be:

1. Directly related to a student who is eighteen years of age or older, or is attending an institution of postsecondary education;
2. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity, or assisting in a paraprofessional capacity; and

3. Made, maintained, or used only in connection with the provision of treatment to the student, and not available to anyone (including the student) other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

Procedures

Students requesting a copy of their treatment records may do so through the following three avenues:

1. Student Health Services

- For records from SHS, a completed release form may be submitted to SHS or the Registrar's office. After review and validation of the complete release form, the selected documents will be mailed or made available for pickup by the student. The request must indicate a start and end date as it cannot be signed for ongoing release of information. A copy of the request will be provided to the Registrar's Office to be included into the student's file.
- For court ordered record requests, the request will be submitted to the Registrar Office who will submit the request to SHS. After review of the completed request form, the records will be provided securely to the Registrar Office.
- Students requesting a copy of their treatment record can submit the completed release form to SHS. The request must indicate a specific period of time and cannot be signed for ongoing release of information. Selected documents will be made available for the student.
- Parents or guardians who would like a copy of their student's treatment records must ask the student to initiate the request for each episode of illness or care.

2. Counseling and Psychological Services

- Students requesting a copy of their treatment records from the Counseling Center need to complete a Release of Information (ROI), where they delineate what information they want released, who the information should be released to, and the purpose for the release of this information. Selected information will be made available for the student.

3. External Requests

- All external record requests will be directed to the AVP for Academic Contract Administration & Compliance Operations to initiate the Right-To-Know request process.

References

[FERPA Protecting Student Privacy \(ed.gov\)](#)

[Dear Colleague Letter to School Officials at Institutions of Higher Education \(August 24, 2016\)](#)

[Right-To-Know](#)

SHS Treatment Record Release [Form](#)

CAPS Record Release Form:

The form can be requested by emailing wcucc@wcupa.edu.

Reviewed by:

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Judd Strauss, Director of Student Health Services

UNIVERSITY POLICY

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Policy Owner: Dr. B.K. Taylor, Assistant Vice President for Health & Wellness

Approved by:



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