

## **Acknowledgement of Virtual Group Instruction Privacy Concern**

The Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) are federal laws that protect confidentiality of a student's education and health records. [Name of School District] complies with federal regulations outlined in both FERPA and HIPAA to ensure student confidentiality. In response to the COVID-19 nationwide public health emergency, the United States Department of Health and Human Services has provided guidance that the Office of Civil Rights recognizes the challenges of school districts to meet the needs of our students remotely; therefore, they have made accommodations with regulatory requirements related to HIPAA rules. The department supports the use of any audio and video conferencing product that allows only the intended parties to participate in communications in order to provide services to students virtually during the public health emergency.

In order to provide students with a continuity of education during this unprecedented time, [Name of School District], would like to engage your student in group speech and language support services using nonpublic audio and video conferencing. The district will be utilizing [District Product] to support remote learning. This letter serves to notify families that [Name of School District] cannot ensure student privacy when utilizing group virtual instruction. During a virtual group instruction, student's names and faces may appear on a screen. Further, the virtual group instruction format could provide opportunities for individuals in other student's households to observe the speech and language session. As a reminder, the district will not share health and educational information with third parties without written parental consent. This letter serves to notify [Name of School District] families of the district's good faith effort to provide speech and language support and opportunities for socialization during this unique time using a product that complies with the current Department of Health and Human Services rules.

The district plans to move forward with providing group virtual instruction, when appropriate, unless the district receives written notification of a family's desire to opt out due to privacy concerns. If a family declines virtual group instruction, the district will collaborate with the student's family to develop an alternative arrangement. Please feel free to reach out to your student's speech language pathologist to discuss any concerns.

Contact Information