



EASTERN SHAWNEE TRIBE OF OKLAHOMA

EARLY CHILDHOOD LEARNING CENTER

PRIVACY POLICY

WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

In order to better serve the needs of you and your children now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal educational, health, or financial information that identifies you (“personal information”). We agree that you have a right to know how we will use the personal information you provide us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

APPLICABILITY

This Privacy Policy governs our use of the nonpublic personal information that you provide us. It does not cover information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

TYPES OF INFORMATION

Depending upon which of our services you are using, the types of personal information we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated Tribal departments, or others; and
- Information we receive from a consumer-reporting agency.

USE OF INFORMATION

The Eastern Shawnee Tribe of Oklahoma (ESTO) Early Childhood Learning Center (ECLC) follows all federal and state laws applicable to the information you provide. In particular, the Family Educational Rights and Privacy Act (FERPA) governs our treatment of student education records and the Health Insurance Portability and Accountability Act (HIPAA) governs our treatment of identifiable health information.

In general, the information we request from you will be used and disclosed in association with the services provided to you, the payment for such services and ESTO ECLC business operations (including quality control efforts and customer analysis). We will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. Absent your prior consent, the amount of identified personal information disclosed to affiliated companies will be limited to that which is necessary for purposes of providing services, payment activities, and business operations. We may provide aggregated customer information, from which individual customer identities and characteristics have been removed, without prior consent.

FORMER CUSTOMERS

Even if you are no longer our customer, our Privacy Policy will continue to apply to you and your personal information, which we may maintain for an indefinite period after the customer relationship has ceased.

CONFIDENTIALITY AND SECURITY

We will use our best efforts to ensure that unauthorized parties do not have access to any of your information. We restrict access to your personal information to those individuals and companies described above. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal and state regulations to guard your personal information.

AMENDMENTS

ESTO ECLC RESERVES THE RIGHT TO CHANGE THE TERMS of this Privacy Policy and will provide notice of any changes either by hand delivery, U.S. Postal Service, or by posting the revised Privacy Policy on the ESTO ECLC website. Parents will also be provided a revised copy of the entire Privacy Policy upon request.

NOTIFICATION OF RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students 18 years of age (“eligible students”) certain rights with respect to the students’ educational records. These include the following:

1. The right to inspect and review the student’s education records. Parents or eligible students should submit to ESTO ECLC a written request that identifies the records they wish to inspect. ESTO ECLC will notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. ESTO ECLC retains the right not to amend the record as requested. If ESTO ECLC decides not to amend the record as requested, ESTO ECLC will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding their request for amendment.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent the FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by ESTO ECLC as an administrator, supervisor, instructor, or support staff member including health and medical staff; a person serving on the ESTO ECLC Board, a person or company with whom ESTO ECLC has contracted as its agent to provide a service instead of using its own employees or officials; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

HIPAA PRIVACY NOTICE

This notice describes how your health information may be used by ESTO ECLC. This notice also tells you about your rights to keep your health information private and explains how you may access your health information.

Health Information Rights

▪ Right to Inspect and Copy

You have the right to see your health information that ESTO ECLC has on record. You also have a right to get a copy of this information. You do not have the right to see psychotherapy notes. You also do not have the right to see health information needed for court or administrative actions.

Right to Request an Amendment

If you think the health information ESTO ECLC has is wrong, or part is missing, you can ask ESTO ECLC to make corrections. You must ask in writing. ESTO ECLC can turn down the request if you do not give a reason. Your request can also be turned down if ESTO ECLC did not create the health information or if ESTO ECLC thinks the information is right.

▪ Right to an Accounting of Disclosures

ESTO ECLC is not required to tell you when your health information is disclosed for purposes of your medical treatment, payment for medical treatment, or operation of a health care program operated by ESTO ECLC. If your health information is disclosed for any other reason, you will be given a list of the disclosures if you ask. A maximum of six years of disclosures will be given to you.

▪ Right to Ask for Limits

▪

You can ask ESTO ECLC to only use your health information for medical treatment, payment for medical care, or operation of a health care program. ESTO ECLC is not required to agree to your request. If ESTO ECLC agrees to your request, ESTO ECLC can still use your health information to provide emergency care.

- Right to Request Confidential Communication

You can ask ESTO ECLC to talk with you about health care in a certain way. For example, you can ask ESTO ECLC to call you only at home. ESTO ECLC will try to meet all reasonable requests.

- Right to Request a Paper Copy of this Notice

You can have a paper copy of this notice by mailing your request for a paper copy to Coordinator, Eastern Shawnee Tribe of Oklahoma Early Childhood Learning Center, 10080 S. Bluejacket Road, Wyandotte, OK 74370.

What ESTO ECLC Can Do with Your Health Information

ESTO ECLC can use your health care information as follows:

- Treatment

People who give you health care can use your health information to design a plan of care for you. These people include nurses, doctors, therapists, and social workers. People who work for ESTO ECLC may share your health information so they can manage your services.

- Payment

ESTO ECLC can give your health information to a health plan to pay for your services. Your health information can also be given to government programs so your benefits can be managed better. Examples of these programs are Medicaid and Workers' Compensation.

- Operations

ESTO ECLC can use your health information to make sure that you get good health care. Your health information may be given to people or companies who are paid by ESTO ECLC to give you health care. These people and companies must follow the same rules that ESTO ECLC does about keeping your health information private.

- Government Agencies Providing Benefits or Services

ESTO ECLC can give your health information to government agencies that are giving you benefits. ESTO ECLC will do this only if it is needed for you to get benefits.

- Health Oversight Activities

ESTO ECLC can share your health information with other agencies when required by law for oversight activities. Examples of oversight activities are audits and inspections.

- Law Enforcement

ESTO ECLC will give health information to a law enforcement official only when required by state or federal law.

- Coroners, Medical Examiners, and Funeral Directors

ESTO ECLC will give health information to a coroner, medical examiner, or funeral director when required by law.

- Organ Donors

If you are an organ donor, ESTO ECLC can give your health information to an organization that participates in organ donation or transplant.

- Stop a Serious Threat to Health or Safety

ESTO ECLC can give your health information to stop a serious threat to the health and safety of you or someone else.

- Military

If you are a veteran or a current member of the armed forces, ESTO ECLC can be made to give your health information to the military or Veterans Administration.

- When Required by Law

ESTO ECLC will give your health information when federal, state, or local law requires.