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| Special Education Confidentiality Guidelines |

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| ***Confidentiality Guidelines*** |

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| **A Statement of Beliefs:**  Every student has the right of privacy of their records.  All educational records must be stored in a manner that will ensure confidentiality and privacy of the student.  The use of educational records must be done in a manner that will ensure confidentiality and privacy of the student. **290-8-9-.08(2)** **Regarding Special Education Records the following will be the guidelines:****1.  Information collected as part of the educational records must be stored, retrieved, and utilized for the benefit of children with disabilities in a manner that will ensure confidentiality and privacy rights.**                        * Past and Present Individualized Education Program Plans.
* Past and Present evaluations and eligibility reports.
* Notes and Documentation involving the student.

**2.   The special education teacher will store (e.g. locked filed cabinet) and safeguard the confidentiality of the records within the local school (e.g. the classroom).** **3.   Who can have access to the special education records:*** **Parents** can review all educational records without unnecessary delay.  Note:  The Code however allows within 45 days. Parent may request a copy of those records.
* A **Parents Representative**: Upon written authorization of the parent a representative of the parent may review the records.
* **School Employees**:  who have legitimate interests.  Note**:** the school or educational agency must keep a record of all persons who are given access to the educational records.
* **School Officials**: from other districts in which a child enrolls or intends to enrolls.
* **State Officials or Federal Official**: who has monitoring and enforcement authority regarding special education.
* **Person who have been granted authority by legal subpoena**.
* **Others**:  Appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the child or other individuals.

**4.   Policies regarding record*** Parents may request amendment of record and if they believe there are errors or inaccurate information contained.  It is the school system decision whether to allow the amendment.  If the school system disagrees it is the responsibility of the school system to notify the parents of their right to a local hearing.
* If parents request information that involves other students the names of those students will be withheld and the information regarding their child will be provided.
* It will be the policy to retain educational records for a period of 5 years after the child is dismissed from the special education program.

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