

## SAYDEL COMMUNITY SCHOOL DISTRICT

### CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION

#### Safeguards

The Board recognizes the importance of maintaining student records and preserving their confidentiality.

All student records containing personally identifiable information will be kept confidential at collection, storage, disclosure, and destruction stages. The records of students with IEPs will be maintained by the District's Director of Student Services and housed in the attendance center of the student. The attendance center will assume responsibility for ensuring the confidentiality of any personally identifiable information.

#### Access Rights

A parent/guardian or eligible student will have access to the student's records. An eligible student is a student who has reached the age of majority or is attending an institution of post-secondary education. If the student is an eligible student, the parent/guardian will not be provided access without permission of the student, unless the eligible student is still a dependent student, as defined by Section 152 of the Internal Revenue Code of 1954. It will be presumed that a student who has not graduated from high school is a dependent of his or her parents/guardians until such time as satisfactory evidence to the contrary is presented to school officials. A representative of the parent/guardian or eligible student will have access to the student's records with consent from the parent/guardian or eligible student.

Except as otherwise provided in this policy, no one else will have access to a special education student's records without the written permission of the parent/guardian or eligible student. A parent/guardian will not be denied access to a student's records without a court order or in any case where the area education agency has been advised that the parent/guardian does not have authority to access records.

Annually, as part of the IEP meeting, parents/guardians of special education students will be notified of their right to view the student's records. The notice will be given in a parent's/guardian's or eligible student's native language. If any educational records include information on more than one child, the parent/guardian will have the right to inspect and review only the information relating to his/her child or to be informed of that information.

A parent/guardian eligible student and their representative will have a right to inspect and review the student's records upon request without unnecessary delay before any meeting regarding an IEP or hearing, and in no instance more than 45 days after the request is made.

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## CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION CONTINUED

The school district will respond to a request for an explanation and interpretation of the records and a list of the types and locations of education records collected, maintained or used, if:

- the disclosure is in connection with educational financial aid for which the student has applied or which the student has received, if the information is necessary to receive the financial aid;
- the disclosure is to organizations conducting educational studies and the studies do not release personally identifiable information;
- the disclosure is to the parent/guardian of a dependent student, as defined in 152 of the Internal Revenue Code of 1954;
- the disclosure is to comply with a court order or judicially issued subpoena, only if the District makes reasonable effort to notify the parents/guardians or eligible student of the order or subpoena in advance of compliance;
- the disclosure is in connection with a health or safety emergency, if knowledge of the information is necessary to protect the health and safety of the student or other individuals;
- the information is directory information.

When disclosure is made to these exempted parties, it will be made only on condition that the information will not be disclosed to a third party without written parent or eligible student consent. The District's Director of Student Services will keep for public inspection a current listing of the names and positions of those employees who are authorized to view a special education student's records without the permission of the parent/guardian or eligible student.

### Record of Access

The District's Director of Student Services will keep a record of parties obtaining access to educational records collected, maintained or used (except access by the parent/guardian and authorized employees of the AEA). The record will include the name of the party, the date access was given and the purpose for which the party is authorized to use the records. Only the parent/guardian, eligible student and person(s) responsible for custody of the records may review the access of record report.

### Destruction of Personally Identifiable Information of Students in Special Education

When personally identifiable information no longer needs to be maintained by the District to provide educational services to the child, the parents/guardians or eligible student will be notified. If the parent/guardian or eligible student requests that the records be destroyed, the school district will destroy the record. Prior to the destruction of the records, the District will inform the parent/guardian or eligible student of the reasons for which it may want the records maintained. For the federal audit, some records must be retained for five years.

Permanent records, a student's name, address, phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed, may be maintained.

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