



Staff

Confidentiality Training

**Santiam Canyon School
District**

Why Do We Have Confidentiality Training?

- **Federal Laws**
- **Family Educational Rights and Privacy Act**
- **Oregon Administrative Rules**
- **Staff has access to student information**

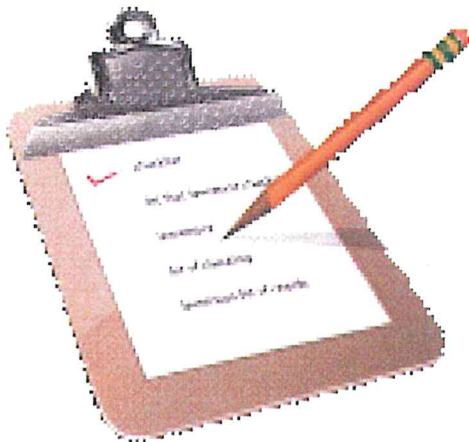


What is Confidentiality?

- **The protection of all personally identifiable data, information and any records collected, used or maintained by the school district**
- **Confidentiality requirements also apply to conversations, discussions about students or staff and information contained in their student records or personnel files**

What does “personally identifiable information” mean?

- **Name of child, parent or other family member**
- **Addresses**
- **Any personal identification number (SSN, SSID or student ID number)**
- **Any characteristics or other information which may identify the child**



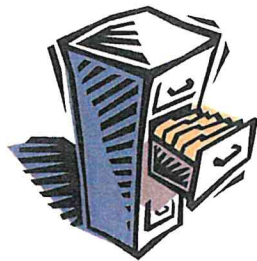
What laws protect student's records?

- **FERPA – Family Educational Rights and Privacy Act**
- **Santiam Canyon School District Policy**
- **Oregon Administrative Rules**
- **IDEIA – Individuals with Disabilities Education Improvement act, 2004**



What are Educational Records?

- **Personal and family data**
- **Evaluation and test data**
- **Progress reports, report cards, work samples and attendance records**
- **Audio, photographs and/or video tapes (including bus tapes)**
- **Medical records**
- **IEP information**
- **Records maintained by other agencies (Department of Human Services (DHS), Health Dept., and/or private PT or OT services)**
- **Information the agency uses for educational purposes (Psychiatric and/or mental health records)**
- **Discipline records**
- **Information shared verbally between teacher/educational assistant, administration/teacher or agency/administration**



How do we make sure parents see information only related to their child?



- **When they request to see grades, make sure they see only their child scores/names**
- **Don't mention other student's names or comment about other students when discussing discipline incidences (say another 4th grade student or just say another student)**
- **Do not discuss other students in public or to parents outside the school**
- **During conferences, only share information with the parent/student representative unless you have written permission from the parent/ student representative**
- **Do not include names when using e-mail to communicate confidential information. May use initials**
- **Do not give confidential information over the phone unless caller can be identified**
- **All personally identifiable information should be marked "confidential"**

Who other than the parent/student representative can I share information with?

- **With my teacher/supervisor**
- **With a teacher/district specialist/ESD**
- **With my administrator**
- **The superintendent**
- **Law enforcement (if asked to do so)**
(Check issue with administrator first)



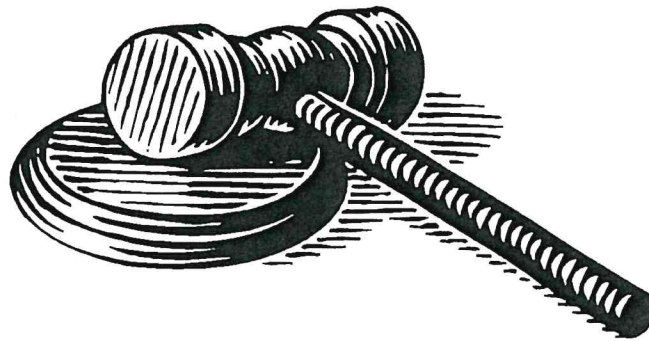
Who can access records?

- **Parents and/or authorized student representative**
- **An emancipated student (18 years of age)**
- **Authorized, district employees**
- **Staff from the US or State Departments of Education (official business only)**

What about split families?

Who has the right to see confidential information?

- **Both biological/adoptive/foster parents, having joint legal custody, unless there is an official divorce decree stating otherwise on file with student records. Both parents should have equal access to records and decision making.**
- **Legal Foster parents**
- **Translators used to interpret records for parents in their native language**



Legal References:

Federal : 34 CFR 99.32(5), 34 CFR 99.36

**Oregon: ORS 336.187(1)(b). ORS 339.250(4)(b)
OAR 581-021-0391**

How, When and Whom does the District release records?

- **By a written request by authorized person to release records to another agency or school**
- **When students' Special Education records are needed by the Educational Service District (ESD) for evaluation for treatment**
- **Department of Human Services (DHS) by a written request**
- **To parents when requested**
- **To medical personnel when a release of information form is signed by the parents**



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