

CONFIDENTIALITY AND ACCESS TO RECORDS OF HANDICAPPED CHILDREN

The Board of Education shall ensure that the personally identifiable information of records pertaining to students with disabilities remains confidential.

Data Collection

The Board of Education shall maintain an informational list of all handicapped children residing in the district. The information shall include:

- a. Pupil's name, address, and birth date;
- b. Pupil's parents' or guardians' names and addresses;
- c. Pupil's handicapping condition; and
- d. Pupil's educational placement.

This record will be filed in the district's office for the Committee on Special Education (CSE).

At any public Board of Education meeting wherein discussion and/or action involves the resolution of handicapping and/or special education recommendations, no reference shall be made that will reveal the identity of the child under consideration.

All records relating to a child's handicapping condition and/or special education services shall be maintained and stored in locked files in the district's office for the Committee on Special Education (CSE). Copies of such records may be maintained by each special education provider assigned to provide services for a handicapped child.

All pertinent information stored in handicapped pupil's folders and all data referring to the pupils' handicapping conditions and special education services shall be identified as "Confidential Information."

Access Rights

Only school district personnel involved in the education, classification and/or placement of a handicapped child shall have access to a said child's records.

All other persons wishing access to a handicapped pupil's records must submit a written request to the Chairperson, Committee on Special Education, and

such requests must be accompanied by written consent from the parent of the handicapped child.

Requests for duplicates or copies of a handicapped pupil's records by other than authorized school personnel, must be accompanied by a district office "Request for Copies of Pupil Records," payment of the required fees, and a written consent from the parent of the child.

The Chairperson of the Committee on Special Education will maintain a list of district personnel who have authorized access to records of handicapped children and said list will be on file in the district's office for the Committee on Special Education. Copies of the list of such authorized personnel are available to parents of handicapped children upon request.

An access log will be maintained in the district's office for the Committee on Special Education. The names of all authorized persons reviewing a handicapped pupil's records will be entered into the access log. The access log will require the following information:

- a. Name of the handicapped child;
- b. Name and Title of the reviewer;
- c. Date of the review;
- d. Purpose of the review; and
- e. Identification of any information that was abstracted and/or copied from the records.

Parents of a handicapped child are guaranteed access to their child's records, and, upon request, within a reasonable time, will be granted an opportunity to review the records. Copies of any information contained in the files will be provided at a reasonable cost.

Parents of a handicapped child wishing to review their child's records must do so in the presence of the Chairperson or his/her designee. Such parents may question the contents of their child's folder and may request an explanation of the data and its purpose for inclusion.

A handicapped child 18 years or older is guaranteed access to his/her individual file.

Amendment of Records

Any parent of a handicapped child, who believes that the information collected in the pupil's file is inaccurate or misleading or violates the privacy or other rights of the child, may request an amendment and/or deletion of the information.

If the school administration refuses the request to amend and/or delete any records, the parent will be informed of the refusal and be advised of their right to a hearing.

Pupil records will be retained according to New York State records retention schedules.

Adoption date: September 10, 2009