

Confidentiality of Student Records

Per Regulations 200.7(b)(6)

Each board of education or board of trustees shall adopt written policy that establishes administrative practices and procedures for the purpose of ensuring the confidentiality of personally identifiable data, information or records pertaining to a student with a disability.

Green Chimneys Policy

The Family Educational Rights and Privacy Act (FERPA) is a federal statute that protects the privacy of student education records. Green Chimneys complies with all FERPA requirements in relation to student education records, including maintaining a record access log and allowing for sharing of Directory Information. Green Chimneys maintains the records of students until the age of 27. At that time, only demographic data is maintained. As part of the treatment process, placing district/agency and parent/guardians will routinely receive the following documents, including but not limited to-- comprehensive treatment goals, treatment team minutes, report cards, IEP progress marks, FBA/BIP progress monitoring forms, etc... (request for records is not required). Upon request, Green Chimneys will forward educational records to outside schools and to the Home District for the purposes of placement.

Green Chimneys allows for the disclosure of records (or PII) to the following (without consent):

- School officials with legitimate educational interest**;
- Placing district/agency
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting and regulatory organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate persons in cases of health and safety emergencies; and
- State and local authorities; including LDSS or Child Protective Services

Parents and eligible students* have the right to:

- Inspect and review the student's education records.
- Seek the amendment of any education record that they believe to be inaccurate, misleading or otherwise in violation of the student's privacy rights.
- Consent to disclosure of personally identifiable information contained in the student's education record, except under certain specific conditions (e.g., disclosure to Green Chimneys staff who have a legitimate educational interest**, to officials of another school at which their child seeks to enroll, etc.).
- Receive annual written notice of their rights under FERPA.
- File a complaint with the U.S. Department of Education if they believe that Green Chimneys has violated any of the requirements of FERPA.
- Request the destruction of records when they are no longer needed for educational purposes. Please note these records can be helpful when applying for benefit applications in the future.

Procedure to inspect/amend records:

- Parents and eligible students who wish to inspect the student's records should establish an appointment with the Director of Quality Assurance and Compliance.
- Parents and eligible students who wish to have the student's records amended must write to the Director of Quality Assurance and Compliance, providing specific information about the records to which they object and the reasons for their objection.
- Parents and eligible students have the right to a hearing if they object to the school's decision.
- Green Chimneys reserves the right to charge a reasonable fee per page should the parents or eligible students request copies.

* An eligible student is one who has reached the age of 18.

**Green Chimneys has determined that those staff who have a legitimate educational interest are school administrators, the student's teachers and support staff, and any related services staff who work with the student.