

Confidentiality of Records

Volunteer Training for Robertson County School
Volunteers

Applicable Laws

- Family Educational Rights and Privacy Act (FERPA or the Buckley Amendment)
- Individuals with Disabilities Education Act (IDEA)
- Kentucky Safe Schools Legislation (HB330)

Importance of Confidentiality

- District may have federal funds withheld if violations are found.
- Parents may proceed in a private civil action against the school district seeking redress for violations.
- As volunteers, it's the right thing to do!

Definition of Confidentiality

- Confidentiality requirements apply to all personally identifiable data, information, and record used, or kept, by the school district about a student.
- Confidentiality requirements also apply to discussions about a student.

Definition of Disclosure

- Disclosure refers to permitting access to or the release, transfer, and other communication of educational records of a student.
- Disclosure can be oral, in writing, or by any other method, including phone or email.

Definition of Educational Records

- Educational records are documents and other written information directly related to a student including:
 - Personal and family data;
 - Evaluation and test data;
 - Medical, psychological, and progress monitoring;
 - Written accounts of conferences; or
 - School-related discipline reports.

Definition of Eligible Student

- An eligible student is a student who:
 - Has reached the age of 18, or
 - Is attending a post secondary education institution.
- If a court has established limited or full guardianship, a student at the age of 18 is not an eligible student.

Definition of Personally Identifiable

- Personally identifiable information is data or information that includes:
 - Names/addresses of the student/parents/family members;
 - Student's social security number/student number; or
 - Personal characteristics/traits/other information which make identification easy.

Parental Consent

- Parental consent is needed to disclose records to individuals/agencies other than those indicated on the disclosure without consent list.
- Parental consent is not needed to discuss directory information.

Disclosure

- The school district may disclose personally identifiable information without written consent as outlined in local policies and procedures.
- In an emergency situation when it is necessary to protect the health and safety of a student/other individuals, school personnel may disclose personally identifiable information to the appropriate parties connected to the emergency.

Exercise 1: Jane

- Jane is a volunteer at Robertson County School. Jane's close friend asked Jane to check on the progress of the friend's nephew who also attends Robertson. Can Jane obtain this information?

YES

NO

Exercise 1: Jane

- NO. Jane has no legitimate educational interest in the progress of someone's nephew; therefore, she has no right to review his progress. In order for Jane to review the progress of the nephew, she would have to be working directly with the child, but she still could not share the information with her friend.

Exercise 2: Kroger

- While shopping at Kroger, an adult in the community asks you, “How is that new guy in school doing? I heard that the police came to school this week to interview him.” What information can you release concerning this student?

Exercise 2: Kroger

- NONE. No information may be released to the community member concerning this student. This community member has no legitimate educational interest, and is not accessible to personally identifiable information concerning any student without written consent from a parent.

Thank you for participating in
this training requirement.



Certificate of Completion

this certificate is awarded to:

Online Volunteer Confidentiality Training for
Robertson County School

3certificates

