

Education Service Center, Region 20
Head Start Program

Procedure or Form Title	Privacy of Child Records (Subpart C – 1303.20 – 1303.24)
Timeline	Ongoing throughout the school year
Location of Documentation	Parent Center – Child File, Child Plus

Procedural Steps		Staff Responsible
1.	Confidentiality of Identifiable Information in Child Records <ul style="list-style-type: none"> ✓ Child Files are maintained in locked filing cabinets. ✓ Child File documentation is never removed from the Parent Center unless the program is auditing them. ✓ Staff must sign into the Child File each time they open it. ✓ A Statement of Confidentiality is at the front of each file as a reminder to staff about their responsibility to maintain secure documentation. ✓ Records that are transported within the program to another location are delivered to the transfer location the same day they are removed. ✓ Child File records are never in the possession of staff overnight in their home or vehicle. ✓ Staff are instructed to never leave records out or unattended. ✓ Access to child records is limited to include program staff, ISD staff, and the child's parent/guardian as well as anyone listed in the FERPA law. 	Management Team FSA Teachers Assistants All ISD staff who have legitimate educational purpose to access child records
2.	FERPA <ul style="list-style-type: none"> ✓ <i>Individuals</i> is defined by this agency as school or auditing officials with legitimate educational interests in the disclosed records. ✓ The Family Educational Rights and Privacy Act (FERPA) identifies the following individuals as having legitimate educational interests and does not require consent for disclosure: <i>A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or child serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.</i> 	Management Team FSA Teachers Assistants All ISD staff who have legitimate educational purpose to access child records
3.	IDEA <ul style="list-style-type: none"> ✓ Parent/guardian signed consent is obtained in order for the program to access the following disabilities related documentation: ARD Meeting Minutes, Individual Education Plan (IEP), 504 Documentation, Behavioral Intervention Plan, if applicable, and Accommodation Page, if applicable from partnership ISD where the child is dually enrolled ✓ Parent/guardian signed document also includes consent for Head Start staff to attend the ARD meeting and provide support for needed services. ✓ The IEP is kept in the classroom in the "yellow folder" in a locked cabinet and in the Child File in the Parent Center in locked cabinet. 	Management Team FSA Teachers ISD Special Education Staff

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4.	Disclosure of Child's Personal Information With Parent Consent <ul style="list-style-type: none"> ✓ Parent/guardian signed consent is obtained so the program can receive or provide the ISD with child documentation. ✓ This notification and consent is obtained annually and on an as needed basis. ✓ Parents/guardians provide documents that may have been requested by the program or voluntarily given to the program to provide to the ISD. ✓ If the parent/guardian provides the program with documentation they want to be given to the ISD, then the FSA staff have the parent/guardian sign the Parent Consent to Disclose Non-Educational Documentation form. <ul style="list-style-type: none"> ○ Examples – legal documents (child custody, divorce decree, Power of Attorney, Foster Care Placement Record, etc.), birth certificate, parent ID or driver license, immunization records, proof of residence, child social security card, additional income documents needed for Pre-K eligibility determination, proof of resources (SNAP, Medicaid, WIC, TANF, housing benefits, etc.), health records (allergy action plan, health condition action plan, notations made by physicians on physical exam that are relevant to child special needs, etc.), 	FSA School Readiness Coach Community & Family Coordinator Program Coordinator
5.	Disclosure of Child's Personal Information Without Parent Consent <ul style="list-style-type: none"> ✓ Includes ISD staff with legitimate educational interest to exclude information needed to determine eligibility for state Pre-K. ✓ Federal review audit for Head Start program ✓ Federal or state entity conducting a study to improve the program ✓ Appropriate emergency and safety agencies where risk factors have been identified in a community ✓ Compliance with a judicial order or lawfully issued subpoena <ul style="list-style-type: none"> ○ FSA staff forward the request to their Coordinator so it can be reviewed by ESC-20 attorneys for input and guidance ✓ Compliance with Child Protective Services request ✓ Compliance with Food & Nutrition Service monitoring activities ✓ Requests regarding documentation for children placed in foster care ✓ ESC-20 financial audit that reviews ERSEA records 	FSA Community & Family Coordinator Program Coordinator
6.	Memorandum of Understanding (MOU) The program has annual MOU documents with the partnership school districts. The areas of Special Education, Health Services, Nutrition Services, and Wellness Services include statements regarding confidentiality of child records.	Component Director
7.	Parent Rights to Child Records (legal parents/guardians) Parents/guardians have rights to their child's records for the following: <ul style="list-style-type: none"> ✓ To view the records ✓ To amend the records ✓ To request a copy of documents that are in the records 	FSA Community & Family Coordinator
8.	Maintaining Child Records <ul style="list-style-type: none"> ✓ Child Files are maintained in the Parent Center at each location in a locked file cabinet with signature requirement when entering child file. Records are maintained for 5 years plus the current year. Child files are brought to ESC-20 in sealed boxes and labeled for destruction. ✓ Child Plus is an installed software with individual passwords and accessible through program computers that are secure with passwords. Only staff who have need to access child information have access to Child Plus. Records 	FSA Community & Family Coordinator Program Coordinator

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	are maintained for 5 years plus the current year before being purged through the Child Plus system.	
9.	<p>Security of Child Records (print, electronic, digital – media, video, image or audio format)</p> <ul style="list-style-type: none"> ✓ Child Files - All child records are kept in the Parent Center in a locked file cabinet with sign-in requirement when entering child file. No records are ever in the personal possession of staff outside of the Parent Center unless the child records are transported to another location because the child has transferred within the program. If records are brought to ESC-20 they are maintained in a secure, locked area and returned to the school location as soon as possible. Parents/guardians sign consent for the program to use or not use their child's image or voice for educational purposes at the beginning of the school year. ✓ Child Plus – Individual staff account passwords are not shared with other staff. The computer screen is locked if staff step away from the computer while Child Plus is open. Printed reports that include child information are maintained in locked cabinets or shredded after use ✓ Reports that are printed at ESC-20 for distribution to the school locations are timed so the reports are kept secure and delivered to the location as soon as possible without being in the possession of staff overnight. ✓ At coordinator's discretion, specific documents are faxed to desktop fax number, reviewed and processed as necessary. These documents are then scanned and emailed to the appropriate staff for filing. The working document is then shredded. 	<p>Management Team FSA Teachers Assistants All ISD staff who have legitimate educational purpose to access child records</p>
10.	<p>Electronic Transmission of Child Information</p> <p>FAX – Staff send and receive secure information to their computer through FAX or scan and email. If child information is printed on a public printer, staff follow secure print process so that they have to use their ESC-20 badge to permit the print request to be completed while they are present at the printer to retrieve it immediately. Child information that is sent to the program from other sources, such as health/dental clinics, email documents to the Health Facilitator who then forwards to the FSA staff to print for the Child File.</p> <p>Child Plus Text Feature - If parents/guardians have requested that staff contact them through text, staff are careful to include limited information that is not specific or identifiable.</p> <p>Email – If staff email <u>between each other</u> about children or families, staff are careful to include limited information that is not specific or identifiable. If parents/guardians have requested that staff contact them through email, staff are careful to include limited information that is not specific or identifiable.</p> <p>Cell Phone Text – No work related information is texted <u>between staff</u> about children or families on their personal cell phones. If parents/guardians have requested that staff contact them through text, staff are careful to include limited information that is not specific or identifiable.</p> <p>Electronic Notification Systems – ESC-20 staff do not initiate these types of accounts, typically school districts use this for mass communications.</p> <p>Social Media – Program staff do not post on any social media medium, such as Facebook, Twitter, Snapchat or Instagram. ESC-20 and ISD's may post program information on their social media.</p>	<p>Management Team FSA</p>