

Confidentiality - 4.14 Safeguards

State Performance Plan (SPP):

(See Overview in the Introduction for more information on the SPP.)

Intent:

To establish policies and procedures to protect the confidentiality of personally identifiable information.

REQUIREMENT

3301-51-04

(N) Safeguards

- (1) Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
- (2) One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information.
- (3) All persons collecting or using personally identifiable information must receive training or instruction regarding the policies and procedures of the school district, county board of MR/ DD, and other educational agency under 34 C.F.R. Part 99 (July 1, 2005).
- (4) Each participating agency must maintain for public inspection a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

GUIDANCE

Safeguards

Policies and procedures are developed and approved by the Ohio Department of Education to assure protection during each stage of collection, storage, disclosure and destruction of personally identifiable information. The educational agency must designate one person to be responsible for ensuring that any personally identifiable information is and remains confidential. That person also should be responsible for ensuring the availability of a current list of the names and positions of all employees who may have access to personally identifiable information. This information is available to the public and to staff requesting the information.

LEGAL CITATIONS:

Federal Statutes:

20.U.S.C. 1412(a) (8); 1417(c)

20.U.S.C. 1232g - Family Educational Rights Privacy Act (FERPA)

Federal Regulations:

34 CFR §300.623

Ohio Revised Code:

3323.08(A)

Operating Standards:

3301-51-04(N)

FORMS (* = required)