



Student Privacy, Confidentiality, and Dignity Policy

The Winston Knolls School
at Hoffman Estates Campus

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Section I: Student Privacy and Confidentiality

As soon as a child enters preschool, information is collected about him or her. The body of information grows throughout the child's academic career.

School records contain highly sensitive information, even information about the family. The contents of student files are likely to have an impact on the overall educational experience of students.

Privacy abuses can range from grades, graphs, or student notes posted in hallways, to the nonconsensual exposure of student information and photos on the Internet. In today's climate of heightened security, it is more important than ever for parents and adult-age students to be vigilant about who has access to education records.

Federal law, the Family Educational Rights and Privacy Act (FERPA), protects student records to some extent. FERPA is one of the oldest privacy laws on the books, implemented in 1974. Most states have enacted similar laws. FERPA applies to schools that receive federal funds through a program of the U.S. Department of Education. Most schools fall into this category. The Winston Knolls School at Hoffman Estates Campus follows these standards.

STUDENT RECORDS

What exactly are education records?

Under FERPA, education records consist of “anything directly related to a student” that is maintained by an educational agency or institution. These records include much more than test scores or class standing. They can include health information, description of physical appearance, family economic circumstances, criminal history, ethnic background, political and religious affiliations, and psychological test results. The information can be a fact such as birth date or a Social Security number. And it can include teachers' opinions of your child. This is not an exhaustive list.

What are *not* considered education records?

FERPA is very specific in listing what items are not included in the definition of education records. These include:

- Records of teachers and administrators that are kept in their sole possession and not revealed to any other individuals except a substitute teacher. These are “teacher’s notes.”
- Records of a law enforcement unit of the educational institution, such as the campus security office.
- Medical and/or psychological records of a student who is at least 18 years of age or who is attending a post-secondary institution when such records are maintained by health care professionals and are used solely in a professional or paraprofessional capacity for treatment purposes. The adult-age student may offer those records to another physician or professional of his or her choice.
- Personnel records of those individuals employed by the educational institution.

ACCESS TO EDUCATION RECORDS

Parents may review their child's records including medical or psychiatric evaluations. A parent may request and must be provided with a list of the kinds of information being stored and who to contact to retrieve them for review.

The right of access provided under FERPA does not prevent a school from withholding transcripts or other official recognition of completed work until all tuition, fees, and other charges are paid to the school. Many states have laws which allow schools to set up procedural guidelines, including the fulfillment of all financial obligations, before records are released. FERPA does not prevent states from establishing individual procedures for how records are released.

The right to review does not include the records of a school where one sought admission but was not accepted. Informal notes kept by teachers, as long as that information is made available only to substitute teachers or other school administrators, are also not included. Student record requests should be given to a member of the administration. 1:1 instructors are NOT permitted to distribute student records and they may not have complete access to student files.

The law is clear on who *may* access education records without parental consent. But note the word *may*. A parent could request, for example, that records not be released to another school, and it would then be up to the school to deny or approve the request. Even though a request may fall under one of the exceptions to parental consent, the school could still refuse to release education records to that individual.

Those who can access education records include the following:

- Parents themselves, students 18 or older, or students who attend a school past high school no matter what their age. In other words, a 17-year old who attends college would have the same access as students age 18 and older.
- School officials who have been determined to have legitimate need to view the records. These would include teachers and administrators within the same school.
- Officials of other schools or school systems to which the student is being transferred. In this case, however, the student's parents must be notified of the transfer and receive a copy if they wish.
- Financial aid purposes. This includes government agencies as well as private banks involved in the financial aid process.
- Organizations conducting studies for educational institutions to develop or evaluate tests, student aid programs, or to improve education. Personally identifiable information must not be disclosed to anyone other than representatives of the organization, and such information must be destroyed when no longer needed.
- In cases of emergency, appropriate persons may gain access if the information is needed to protect the health or safety of the student or others.

Access Logs

Each student file must maintain a record, typically called an access log. It lists all individuals who requested or were given access to a student's records. Individuals within the student's classroom and noted on the student's IEP are permitted to view the student's records at any time. The access log is for individuals outside of Winston Knolls who have written permission from the parents or school district to view the student's records. The log must also include the legitimate interest each person had to justify access. The log itself is subject to certain safeguards. Only parents and school officials responsible for custody of school records may view the log.

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All student documents must be kept and saved on the TBS server, not on the desktop of any computer. If a Winston Knolls laptop is lost or stolen, the Director of Human Resources must be immediately contacted so that all access to the server can be blocked from that computer and confidential information is not released.

PHOTOGRAPHING

Only students who have parent permission may be photographed. The Winston Knolls School at Hoffman Estates Campus does not allow videos to be taken of students. FERPA does not have a provision regarding videotaping of students.

INTERNET PUBLICATION OF INFORMATION AND/OR IMAGES

Publication on the Internet is considered a "disclosure" of information from the education record and must comply with FERPA. Information in the aggregate can be posted if students are not identified. However, directory information may be posted (released) without parental consent and in compliance with FERPA.

DISCUSSION OF STUDENTS

Discussion of any student outside of the classroom by name is strictly prohibited. Student and family confidentiality should be maintained at all times. Staff should refrain from talking about student's personal issues, progress, or family members in the presence of other students or unrelated staff. Staff should be sensitive in discussing student challenges while the student is present.

Section II: Student Dignity

Toileting

If a student is independent in the bathroom, allow them to close the door and follow their routine by themselves. You may peek in if needed, but open the door only as far as is necessary to observe the student.

If your student is not toilet-trained, then you should follow his or her individualized toilet training plan.

Diapering

Each bathroom serving children wearing diapers or disposable pull-ups shall have a designated diapering area which includes at least the following:

1. An accessible hand-washing sink within the same room without barriers such as doors.
2. Covered receptacles conveniently located close to the changing surfaces for the disposal of soiled diapers. These receptacles shall be washable, plastic lined and tightly covered. There shall be separate containers for disposable diapers, cloth diapers (if used) and soiled clothes and linens.
3. A supply of disposable latex gloves.
4. Clearly posted procedures for diaper changing, consistent with the following:
 - a. Have the following supplies ready before bringing the child to the diapering area:
 - i. Disposable wipes or fresh, wet paper towels;
 - ii. Diapers;
 - iii. Skin preparations prescribed by the child's doctor or requested by the child's parent; and
 - iv. Disinfecting solution and paper towels for cleaning up.
 - b. Put on protective gloves.
 - c. Remove diaper and any soiled clothes.
 - d. Clean the child's bottom from front to back with a fresh disposable wipe or damp paper towel. Aerosol or roll-on products shall not be used.
 - e. Dispose of disposable diapers, paper towels and diaper wipes in covered receptacle. Put soiled clothes and cloth diapers into a plastic bag to be sent home with the parent.
 - f. Remove disposable gloves. Wash hands.
 - g. Place clean diaper on the child. Make sure child's clothing is clean and dry. If not, change child's clothing.
 - h. Wash the child's hands.
 - i. Wash adult hands.
5. Changing surfaces shall be cleaned and sanitized daily.
6. Diaper receptacles shall be cleaned and sanitized daily.

Toileting Accidents

Many students at The Winston Knolls School at Hoffman Estates Campus are involved in toilet training programs. It has been determined that the self-confidence and dignity involved in toileting independently far outweighs the risks involved with toilet training procedures. For students actively involved in a toilet training program:

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- a) Students will learn to independently access the toilet through free access and appropriate requesting.
- b) Students who have not acquired the skill to request the use of the toilet will not be involved in correct procedures for accidents.
- c) Students who have acquired the skill to request the use of the toilet may be involved in correction procedures such as restitutive overcorrection, where the student is requested or guided to restore, clean-up, or rearrange the environment, without physical resistance.

Classroom staff, to the best of their ability, will implement individual plans to maximize student learning while protecting students from public embarrassment.

Hand Washing

Staff hands shall be washed routinely and frequently with soap and water, at least at the following times:

1. Upon arrival at the center;
2. After using the bathroom or helping a child use the bathroom;
3. After changing a diaper;
4. After wiping or blowing their nose, or helping a child to wipe or blow his or her nose;
5. After handling items soiled with body fluids or wastes (e.g., blood, drool, urine, stool or vomit);
6. After handling pets or other animals;
7. After handling or caring for a sick child;
8. Before and after eating and drinking;
9. Before preparing, handling or serving food;
10. Before dispensing any medication;
11. Before and after administering first aid; and
12. When changing rooms or caring for a different group of children.

The following technique for thorough hand washing shall be used:

1. Wet hands under warm running water.
2. Lather both hands well and scrub vigorously for at least 20 seconds.
3. Rinse hands thoroughly under warm running water.
4. Dry both hands with a new single-use towel or automatic dryer.
5. For hand-held faucets, turn off the water using a disposable towel instead of bare hands to avoid recontamination of clean hands.

When children are too young to wash hands by themselves, staff shall wash their hands using the above technique. As children are developmentally ready, staff shall teach the proper hand-washing technique and assist and supervise the procedure as needed.

Section III: Physical Restraint

Physical Restraint

Students engaging in behaviors that warrant the use of physical restraint (as determined by emergency protocols or behavior intervention plans) will first be kept safe from themselves and the environment. The educational team will make the determination for least restrictive intervention necessary to manage student behavior. The educational team will assess the safety of the environment and the student and restrict visual access to the incident with either :

- a) student removal from a public space to a less crowded area
- b) removal of peers from the immediate environment or
- c) the introduction of visual barriers to block the incident from view.

Student Behavior: Disrobing at school

Students engaging in disrobing will first be kept safe from themselves and the environment and be protected from public view. The classroom teacher will make the determination for least disruptive intervention necessary to manage student behavior. The classroom teacher will assess the safety of the environment and the student and restrict visual access to the incident with either :

- a) Classroom teacher will consider the removal of peers from the immediate environment or
- b) the introduction of visual barriers to block the incident from view.

After the privacy of the student is ensured, individual behavior intervention plans will be followed to ensure that the student:

- a) Is clothed by engaging in dressing procedures as independently as possible.
- b) Has an appropriate consequence to decrease future probability of this behavior.

Should a student attempt to disrobe during a consequence management procedure (e.g. alternative learning space) the student will continue to have access clothing contingent on safe behavior (i.e. students attempting to engage in PICA may have items removed.) Student privacy will be maintained through use of visual blocking (typically a room divider) Students actively accessing a prescribed consequence for behavior will not be prompted to dress, rather re-dressing independently (or requests or attempts to do so) will signal motivation to complete the consequence.

Student Behavior: Disrobing in the community

Students engaging in disrobing will first be kept safe from themselves and the environment and be protected from public view. Classroom staff will:

- a) cover the student with available equipment (coat, towel, etc.)
- b) determine the most private location,
- c) use transportation procedures to remove the student from the immediate area and public view if necessary,
- d) use hand-over prompting and/or re- dress the student.

Once student privacy is ensured, classroom staff will follow through on the remainder of the behavior plan.

Privacy, Confidentiality, and Dignity Training

Name: _____ **Title:** _____

I have participated in the 2022-23 Privacy, Confidentiality, and Dignity Training at The Winston Knolls School at Hoffman Estates Campus. I read through the Training Module which covered the following areas:

- Student Records and Privacy
- Student Records/Documents through Server Access
- Student Directory
- Video Taping and Photographing Students
- Internet Publication
- Discussion of Students
- Toileting
- Toileting Accidents
- Diapering
- Hand washing
- Student Behavior: Disrobing at School
- Student Behavior: Disrobing in the Community
- Physical Restraint

Signature: _____ **Date:** _____