

CONFIDENTIALITY

Federal law, state regulations, and district policies require that the confidentiality of all personal information and educational records concerning students and their families be strictly protected. Information specific to a student is considered confidential. Confidential information should only be discussed with other members of the student's IEP team.

TIPS TO HELP KEEP CONFIDENTIALITY FROM BECOMING A PROBLEM

- Be careful with whom you share information. Is that person directly involved with the student's education?
- Don't point or label children in public, outside of school, as "your" students.
- Avoid using names if you are asked about your job.
- Suggest that questions about a student are best directed to the regular classroom teacher or special education teacher.
- Be careful not to distort, exaggerate, or confuse information.
- Never use information about a student as gossip or as a joke.
- Focus comments on student strengths and be positive.
- No matter who asks you a question about a student, if you don't want to answer or are unsure whether you should answer, don't. You can do this gently and politely.
- Be direct and honest: "I'm sorry – I can't say."
- Develop a workable response to questions about student information. Write it down here, practice it, and use it!
- Ask yourself: Will the student benefit if this person has the information?

SUGGESTIONS FOR ADDRESSING STUDENT QUESTIONS

- Try to talk about the specific behavior or characteristic or condition, rather than the child.
- Make sure your questions about the child and the child's disability have been answered. You don't want to pass along wrong information. Also, the more you know, the easier it will be for you to answer questions.
- Don't alarm other students by giving too much detail or description.
- It's OK to use the lines, "...because she was just born that way" or "...that's just the way he is" or "...sometimes he needs a little help doing some of the things you can do, and that's OK" and finally "...well, remember, everyone is different."
- Encourage students to offer help or support, but also remind the students that people with disabilities need to learn to do things for themselves.
- Instead of asking a student to "take" a student with a disability somewhere, ask the student helper to "go with" him or her.

TIPS FOR COMMUNICATING WITH PARENTS

- Be aware of your school's policies and procedures.
- Have a plan in place with your supervisor and team describing what, how, when, etc. it is appropriate for you to talk with a parent.
- Remember the guidelines for confidentiality.
- If you are not sure what your role should be . . . Ask First.

Confidential Responses

Possible Request	Possible Responses
<ul style="list-style-type: none">"I heard you're working at the school... Is that 5th grade teacher as mean as everyone says?"	<ul style="list-style-type: none">"I'm an employee at the school now, it wouldn't be fair to talk about other employees." <p>or</p> <ul style="list-style-type: none">"Employees aren't allowed to talk about one another outside of school, sorry."
<ul style="list-style-type: none">"Who's the funny looking kid that flaps his hands all the time?"	<ul style="list-style-type: none">"Student information is confidential to everyone but his parents and teachers." <p>or</p> <ul style="list-style-type: none">"Sorry, I can't talk about kids outside of school."
<ul style="list-style-type: none">"What's the scoop on Gail... I heard her husband...?"	<ul style="list-style-type: none">"Gail's my fellow employee as well as my friend now, I can't discuss her private life."
<ul style="list-style-type: none">"What's wrong with Suzanna?"	<ul style="list-style-type: none">"Student information is protected by law. I'd be breaking the law if I spoke about any student outside of school."
<ul style="list-style-type: none">"I heard Jason is doing better with that new special ed teacher."	<ul style="list-style-type: none">"Jason's progress is confidential. It's not okay for me to discuss it."
<ul style="list-style-type: none">"Is Tanya in the special reading class?"	<ul style="list-style-type: none">"Placement of students is a confidential matter. We're not allowed to speak about student placements outside of school."

Know About Liability Considerations

Administrator Responsibilities	Teacher Responsibilities	Paraeducator Responsibilities
<ul style="list-style-type: none"> • Develop and disseminate written safety procedures and policies for all types of instructional programming • Provide district level and building level orientation to new and returning paraeducators • Provide appropriate ongoing, systematic inservice training to all those (including paraeducators) who carry out the instructional program • Provide an environment in which effective communication and teamwork among team members may occur. • Provide mentoring and guidance to professionals who supervise paraeducators 	<ul style="list-style-type: none"> • Provide access to all written and non-written procedures and policies that guide student safety and welfare. • Orient the paraeducator to classroom / program rules, routines, procedures and practices • Decide / Prescribe appropriate risks as well as limitations for groups of students and individuals • Provide written plans for instruction and curricular adaptations to the paraeducator • Establish / maintain a record keeping system where paraeducators contribute data about student behavior and progress • Communicate all decisions, plans, policies, and prescriptions to paraeducators • Review with the paraeducator all the needs or circumstances of students that may affect their safety or welfare 	<ul style="list-style-type: none"> • Fully understand and apply written safety procedures of the administrative unit • Carry out and support all classroom / program rules, routines, procedures and practices • Exercise prudent judgment relative to the safety and welfare of students • Implement the written instructional, curricular and adaptations plan as directed • Take data, keep appropriate records and documentation relative to student performance and behavior and contribute to the record keeping system • Communicate all relevant observations, insights, or information about students to professional team members • Be aware of and heed the physical, behavioral, emotional, and educational needs of students that may affect their safety and welfare