

## *IEP CONFIDENTIALITY*

In accordance with the Federal Performance Standards, any copy of a student's IEP should remain confidential and shall not be disclosed to any other person in compliance with federal and state laws and regulations, including IDEA and the Family Education Rights and Privacy Act (FERPA). The Delegate Agency may disclose personally identifiable information in a student's education records, including the student's IEP, to Delegate Agency and Grantee staff and service providers with "legitimate education interests".

Consistent with FERPA, the Delegate Agency will

- Protect the confidentiality of the IEPs provided to teachers and others at collection, storage, disclosure, and destruction stages;
- Ensure that all persons collecting or using the IEPs receive training or instruction regarding FERPA requirements;
- Ensure that the teachers, related service providers, and other service providers who the Delegate Agency determines to have a legitimate educational interest and who receive a copy of the IEP are informed about their respective obligations to maintain confidentiality of the student records, do not disclose personally identifiable information from the IEP of a student without consent of the parent, and return copies of the IEP at the end of each program year to the agency.
- Upon request provide the parents with a list of the types and locations of education records, including the IEPs collected and maintained by the agency.

In addition, the Delegate Agency will ensure that parents have access to their children's records and protect the privacy rights of parents and children by limiting access to these records without parental consent.