Section 13 Confidentiality of Personally Identifiable Information

The school student records of a child with disabilities shall be maintained confidentially in accordance with the requirements of the Individuals with Disabilities Education Act, the Family Educational Rights and Privacy Act, the Illinois School Student Records Act, the Illinois School Code, the Illinois Mental Health and Developmental Disabilities Confidentiality Act, the Illinois Domestic Violence Act of 1986, and their respective implementing regulations. All information maintained concerning a student receiving special education is directly related to the provision of services to that child. For information regarding the types of personally identifiable information concerning all students, including students with disabilities, that is collected, the maintenance period, persons to whom the information may be available, and under what circumstances the information may be disclosed, see the following School District policies and procedures: Board Policy 7:340 - Student Records.

LEGAL REF.: 20 U.S.C. §§ 1232g (Family Educational Rights and Privacy Act), 20 U.S.C. §§ 1412 (State eligibility), 1413 (local educational agency eligibility).

34 C.F.R. §§ 300.123 (Confidentiality of personally identifiable information), 300.610-627 (Confidentiality of Information).

34 C.F.R. Part 99 (Family Educational Rights and Privacy).

105 ILCS 5/14-8:02f (Individualized education program meetings protections), 105 ILCS 10/1 *et seq*. (Illinois School Student Records Act); 740 ILCS 110/1 *et seq*. (Mental Health and Developmental Disabilities Confidentiality Act); 50 ILCS 205/1 *et seq.* (Local Records Act)

23 Ill. Admin. §§ 226.50 (requirements for FAPE), 226.75 (definitions), 226.220 (Development, Review, and Revision of the IEP), 226.740 (records; confidentiality).

23 Ill. Admin. Code Part 375 (student records).

Adopted: June 2002
Revised: January 2010
Revised: December 2020
Revised: May 2026