

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1509.00
COMPLAINT INVESTIGATOR: Bridget Hand
DATE OF COMPLAINT: January 10, 2000
DATE OF REPORT: January 28, 2000
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: February 21, 2000

COMPLAINT ISSUES:

Whether the Monroe Central School Corporation and the Greater Randolph Interlocal Cooperative violated:

511 IAC 7-8-1 with regard to the school's alleged failure to maintain confidentiality of personally identifiable information about a student with a disability.

FINDINGS OF FACT:

1. The student (the "Student") is a fifth-grader who is eligible for special education and related services due to a communication disorder ("CD").
2. It is alleged that another student and the Student's sister overheard two teachers discussing the Student.
3. The Local Director met with the two teachers in question on January 17, 2000, and reviewed the complaint. Both teachers reported that they could not recall anytime they had discussed the Student where their conversation could have been overheard. The Director reports that the teachers stated any time they have discussions concerning student issues, they take precautions to ensure their conversations are not overheard. These precautions include not having conversations in open areas and securing areas where conversations may occur. The Local Director concluded this meeting by summarizing the seriousness of any breach of confidentiality.
4. Confidentiality issues were addressed by the school principal during a teacher meeting on January 10, 2000.

CONCLUSION:

1. Findings of Fact #2 through #4 show that the teachers did not advertently discuss the Student with the intention of violating confidentiality. Therefore, no violation of 511 IAC 7-8-1 is found. Notwithstanding, the school has taken steps to underscore the need to ensure the confidentiality of personally identifiable information with respect to students.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusion listed above.