

DRAKE UNIVERSITY HEAD START

FORMS:

Consent to Release Information

SUBJECT: Release of Child Records

EFFECTIVE DATE: Adapted from Transfer of
Program/ Transfer of Records procedure effective Nov. 3,
2010

Effective May 1, 2018

POLICY REFERENCE: Head Start Program
Performance Standards, 1303.22

PERFORMANCE STANDARDS: Protections for the
Privacy of Child Records

This document contains Procedures for ALL programs.

Requests for Records

- Requests for child records should be directed to the Data Support Specialist.
- As appropriate, the Data Support Specialist may ask program staff to provide copies of documents to parents whose children are currently enrolled in the program. (See [Exceptions](#).) The Data Support Specialist will maintain a record of all records requests made throughout the program year.
- Records for children who have exited the program will only be released upon receipt of a completed *Consent to Release Information* signed by the child's parent(s)/legal guardian(s) except in certain cases outlined in the [Exceptions](#) section. The *Consent to Release Information* form should specify which records are to be sent and to whom.
 - If records are requested by a party other than the child's parent/ legal guardian, the individual/ agency requesting records will be provided with a *Consent to Release Information* to be completed by the parent(s)/ legal guardian(s).
 - Consent forms drafted by outside agencies may be accepted with approval from the Director.
- The Data Support Specialist will review the completed *Consent to Release Information* form and confirm that the parent(s)/legal guardian(s) requesting the records is listed as the Primary or Secondary Adult in ChildPlus and verify the signature on the *Consent to Release Information* form against the individual's signature on other documents.
- Upon approval for release, the necessary copies of the requested records will be made and furnished to the parent(s) or the parent's approved party, with approval from the Director or a Program Coordinator as appropriate, within 45 days of receipt of the *Consent to Release Information* signed and completed by the parent(s)/ legal guardian(s). Records related to attendance will be printed from ChildPlus.
 - In the event a full file is requested, agency checklists and contact logs may be omitted as appropriate.
- If a request for records is denied for any reason, the Data Support Specialist will send written notification to the agency/individual indicated on the *Consent to Release Information* form as well as to the parent(s)/legal guardian(s).

Exceptions

- *Consent to Release Information* is not required for parents of enrolled children who request records. These requests will still be communicated to the Data Support Specialist, who will provide guidance fulfilling the request. When the Data Support Specialist approves preparation and release of records by teaching staff and Infant/Toddler Specialists, teaching staff and Specialists will scan the records they provided and e-mail them to the Data Support Specialist, noting the date of release and to whom they were provided.
- Parental consent is not necessary for release of child information within the organization, including release of information between the Grantee and Delegate.
- Specific, relevant child records and information can be released without parent consent only under the following circumstances:
 - Upon request from a state or federal entity for the purposes of auditing, program evaluation, determination of agency compliance with legal requirements, and/or state or federal study;
 - Records may be released to any parties deemed necessary in the event of disaster or a health or safety emergency to ensure the child's safety and that of program participants or staff, including in cases of suspected child abuse or maltreatment;
 - In compliance with judicial orders or legal subpoenas;
 - Upon request from a foster child's caseworker;
 - Upon request by a school district or other program where the child will enroll, once the parent has been notified that a request has been made and the parent has been given the opportunity to refuse release of records.

Parental Disputes Related to Information in Child's File

- Parent concerns regarding files for children who are no longer enrolled in the program will be forwarded to the Data Support Specialist for the purposes of gathering information before the concern is forwarded to the Director.
- If a parent expresses concerns about the validity of the information contained within a child's record or alleges a violation of the child's privacy and the child is currently enrolled in the program, the child's teacher will meet with the parent(s) to discuss concerns and explain agency policies and procedures pertaining to child records. If the parent(s) still feels that his/her/their child's record is inaccurate, teaching staff will ask the parent(s) to complete the *Parent Request to Amend Child Record* form. If a hard copy of the form is completed, teaching staff will scan and e-mail a copy to their Program Coordinator and copy the Director and Data Support Specialist.
- After receiving a *Parent Request to Amend Child Record* form, the Director will consult the Program Coordinator for the program in which the child is/was enrolled regarding the areas of concern. If necessary and appropriate, the Program Coordinator and/or the Director will discuss parent concerns or allegations with teaching staff in order to make a decision about whether the record will be amended.
- If the Director determines that the record should be amended, the Data Support Specialist will draft a statement to go in the child's file that details which areas were amended. A copy of the statement will be mailed to the parent(s) and attached in Child Plus. A note will be added in the Notes section of the Enrollment tab in Child Plus stating that an amendment was made and is attached.
- If the Director determines that the child's record does not need to be amended, the Data Support Specialist will send the parent(s) a letter informing the parent(s) of the decision and their right to request a hearing to challenge the information in the child's record.
- If the parent(s) request(s) a hearing to challenge the information in the child's record, the Data Support Specialist will select and contact a certified mediator from the Iowa Association of Mediators with an expertise in community and/or education. A date and time for the hearing will be scheduled with participation from all parties within a reasonable amount of time.
- The mediator, after hearing from the parent(s) and Drake University Head Start staff, will render a decision and inform both parent(s) and Drake University Head Start of the decision. If the mediator determines that an amendment is required, the Data Support Specialist will draft a statement to go in the child's file that details which areas were amended. A copy of the statement will be mailed to the parent(s) and attached in Child Plus. A note will be added in the Notes section of the Enrollment tab in Child Plus stating that an amendment was made and is attached. If the mediator determines that the information in the child's record is accurate, does not mislead, or otherwise violate the child's privacy, a copy of the mediator's decision will be mailed to the parent(s). A copy of the decision will be added to the child's file, and a note will be added in the Notes section of the Enrollment tab in Child Plus stating that a hearing was held, that a certified mediator determined that no amendment to the child's record was necessary, and that a copy of the decision is attached.