



Beaufort Jasper EOC Head Start

ANNUAL NOTICE REGARDING PII AND PARENTAL RIGHTS

THIS NOTICE DESCRIBES HOW PERSONALLY IDENTIFIABLE INFORMATION ABOUT YOUR CHILD MAY BE USED AND DISCLOSED, AND HOW YOU CAN ACCESS THIS INFORMATION.

PLEASE REVIEW IT CAREFULLY.

By law, Beaufort-Jasper EOC (BJEOC) Head Start-Early Head Start must protect the privacy of your child's Personally Identifiable Information. Information that could be used to identify your child (known as "Personally Identifiable Information" or "PII") includes your child's name, name of a child's family member, street address of the child, social security number, or other information that is linked or linkable to the child. BJEOC Head Start-Early Head Start retains PII because your child receives Head Start/Early Head Start services from us and it is a part of each child's record with us. We take our obligation to protect the privacy of your child's PII data very seriously. This notice explains your rights and our legal duties and privacy practices.

We are required to give you a copy of your rights in writing every year, including definitions (which cover descriptions of the types of PII that may be disclosed), to whom we can disclose, and list when we do not need to receive your Consent to disclose PII from your child's record.

BJEOC Head Start-Early Head Start will abide by the terms of this notice. Should our data and child record practices materially change, BJEOC Head Start-Early Head Start reserves the right to change the terms of this notice, and will follow the terms currently in effect. Any new provisions we add will affect all PII we maintain from the time the new provisions go into effect, as well as any PII that we may receive in the future. If we revise our practices substantially, we will provide a revised notice [insert how: either to the address you have supplied, provide a copy during child pick-up or will post the updated notice on our website at <http://www.thebjeoc.org/> , in our Parent Hub.

Definitions:

1. **Child Records** means records that: (1) are directly related to the child; (2) are maintained by the program, or by a Party acting for the program; and (3) include information recorded in any way, such as print, electronic, or digital means, including media, video, image, or audio format.
2. **Confidential** means to be kept private with certain specific protections.
3. **Consent** means written approval or authorization that is signed and dated. It may include a record and signature in electronic form that: (1) identifies and authenticates a particular person as the source of the electronic Consent; and, (2) indicates the same person's approval of the information. Consent can be revoked going forward.
4. **Disclosure** means to permit access to or the release, transfer, or other communication of Personally Identifiable Information contained in Child Records by any means, including oral, written, or electronic means, to any Party except the Party identified as the Party that provided or created the record.
5. **Party** means an entity or individual.

6. **Parent** means person or agency legally authorized to act on behalf of the child, typically mother, father, or legal guardian authorized to act in place of the mother or father.
7. **Personally Identifiable Information (PII)** means any information that could identify a specific individual, including but not limited to a child's name, name of a child's family member, street address of the child, social security number, or other information that is linked or linkable to the child.

Required Uses and Disclosures of PII:

BJEOC Head Start-Early Head Start must use and disclose information contained in Child Records that is PII in a number of ways to carry out the program's responsibilities. We keep PII in our Child Records. The following list describes the types of uses and disclosures of PII that federal law requires us to make and allows us to do so without your Consent:

- (a) Within this organization for Head Start/Early Head Start purposes;
- (b) To other organizations for Head Start/Early Head Start purposes (including but not limited to Contractors /Sub-Recipients that help us provide services to your child);
- (c) In connection with an audit or evaluation of education or child development programs or for enforcement or compliance with federal legal requirements (such as to the U.S. Department of Health and Human Services that funds Head Start);
- (d) For studies to improve child or family outcomes or quality of services;
- (e) During Disasters or Health/Safety Emergencies to appropriate Parties (including but not limited to local health departments, police, fire, EMS, etc.);
- (f) Pursuant to Court Orders or Subpoenas (so long as we try to notify you in advance unless:
 1. a court has ordered that neither the subpoena, its contents, nor the information provided in response be disclosed;
 2. the Disclosure is in compliance with an ex parte court order obtained by the United States Attorney General or his/her delegate concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331;
 3. a Parent is a Party to a court proceeding directly involving child abuse and neglect or dependency matters, and the order is issued in the context of that proceeding; or
 4. if there is legal action between BJEOC Head Start-Early Head Start and a Parent);
- (g) For Child and Adult Care Food Program (CACFP) Monitoring if the results will be reported in an aggregate form that does not identify any individual;
- (h) To Foster Care Caseworkers who have the right to access a case plan for a child who is in foster care placement; and,
- (i) To appropriate Parties in cases of suspected or known child maltreatment (such as Child Protective Services).

Note: BJEOC Head Start-Early Head Start also uses and shares your child's PII when requested by you or when otherwise required by law.

Other Permitted Uses and Disclosures:

BJEOC Head Start-Early Head Start may use and share PII in certain limited instances, without your Consent as long as we notify you first. We can do this if the PII relates to a child's enrollment or transfer to officials at a program, school, or school district in which the child seeks or intends to enroll or where the child is already enrolled.

- (a) To do so, BJEOC Head Start-Early Head Start will notify you about the intended disclosure.
- (b) You will have the opportunity to request a copy of the PII from Child Records to be disclosed and have an opportunity to challenge and refuse Disclosure of the information in the records, before we forward the records to the other Party.
- (c) If an entity or you request that PII be disclosed for enrollment or transfer purposes, you will receive notification.
- (d) The notification allows you to challenge and refuse the Disclosure by following the steps in the Form.
- (e) If you do nothing or do not follow the steps within the timeframe set forth in the notification to challenge or refuse to disclose, BJEOC Head Start-Early Head Start will go ahead as planned and send copies of the requested PII to the requesting program, school, or school district to further the child's program and ensure continuity through data.
- (f) Except as described above, BJEOC Head Start-Early Head Start will NOT use or disclose your PII without your written consent, which must be signed and dated. Your written consent must specify what child records may be disclosed, explain why the records will be disclosed, and identify the party or class of parties to whom the records may be disclosed. This information will be documented on a Consent to Release and Receive Information Form. You may give us written consent to use or disclose your PII to anyone for any purpose that you choose. You may revoke your authorized consent so long as you do so in writing; however, BJEOC Head Start-Early Head Start will not be able to get back any PII we have already used or shared based on your prior permission.

Children Referred to or Receiving Individuals with Disabilities Education Act (IDEA) Services for Disabilities:

BJEOC Head Start-Early Head Start will follow the confidentiality provisions of Individuals with Disabilities Education Act (IDEA) Parts B and C (located at 34 CFR Parts 300 and 303) for any children that we serve that are referred to or receiving IDEA services. At any time or in any instance that those provisions are stricter than what Head Start/Early Head Start requires, BJEOC Head Start-Early Head Start will follow those stricter IDEA provisions.

Parental Rights to Inspect Child Records:

You have the right to:

1. Ask to inspect your Child's Record on-site containing PII that our program maintains. BJEOC Head Start-Early Head Start will create an opportunity for you to inspect your Child's Record on-site within 45 days of your request. You do not have the right to remove the original record from on-site nor to take any parts of the original record with you. You do not have the right to inspect child records that contains information that includes other children. You must only inspect information that pertains only to your child.

2. Ask for a copy of Child Records disclosed to third Parties with Parental Consent, free of charge.
3. Ask BJEOC Head Start-Early Head Start to amend your Child's Record if you believe that it is inaccurate, misleading, or violates your child's privacy. You must complete the request in writing and include the reason for the desired records change. BJEOC Head Start-Early Head Start will review your request and make a decision within 15 calendar days. If BJEOC Head Start-Early Head Start denies your request to amend your PII, we will issue you a written statement explaining why and explain your right to a hearing by a neutral party.
4. Ask for a hearing if your request to amend the Child Record is denied. If the issue is not decided in your favor at the hearing, you have the right to place a statement in your child's record that either comments on the contested information or that states why the Parent disagrees with the program's decision, or both. Please Note that BJEOC Head Start-Early Head Start nor its employees have legal authority to amend or alter any child records developed by the local Early Childhood Intervention (ECI) programs, local school districts, independent consultants, or licensed medical or mental health professionals. BJEOC Head Start-Early Head Start may only consider changes to child records for which its employees produced. Parents seeking to alter or amend child records created by a third party will be directed by BJEOC Head Start-Early Head Start staff to the contact the appropriate entity.
5. Ask to inspect written agreements involving Disclosure of PII. You can come on-site and review a redacted written agreement with a third Party that involves Disclosure of their child's PII. This right does not allow you to take any photos of it or make, or have copies made of the agreement

Location of PII. BJEOC Head Start-Early Head Start keeps PII from Child Records in the following places: in our electronic record keeping system ChildPlus, in locked paper files in the BJEOC main office, in locked paper files in BJEOC Head Start-Early Head Start centers.

Need to Know Basis. All Disclosures of PII from Child Records are on a need to know basis or otherwise "deemed necessary" for the purpose of Disclosure. In other words, BJEOC Head Start-Early Head Start does not disclose PII from Child Records for no reason or any reason. The program has specific processes that must be followed and it depends on the type of PII that has been requested and by whom. BJEOC Head Start-Early Head Start's process limits the amount of PII disclosed to only that which must be provided, and nothing more.

Complaints or Questions. If you believe that your child's privacy rights may have been violated or if you have questions, please let us know as soon as possible. Complaints should be directed to:

BJEOC Head Start-Early Head Start Director
Post Office Box 2296
Beaufort, SC 29901
Email Address: olewis@thebjec.org

Filing a complaint or exercising your rights will not affect the care or services your child receives from BJEOC Head Start