

Gresham-Barlow SD 10

Code: **IJA**
Adopted: 4/7/05

Confidentiality in Counseling**

The professional responsibility of school counselors** is to respect the right to privacy of those whom they enter counseling relationships. Professional school counselors must keep abreast of and adhere to all laws, policies, and ethical standards pertaining to confidentiality. The counselor must not abridge this confidentiality except when there is a clear and present danger to the student and/or other persons.

The professional school counselors' responsibilities include:

1. Notifying students, parent(s), and staff in developmentally appropriate terms of the limits of confidentiality
2. Seeking consultation with appropriate professional (e.g., administrator, other counselors, or legal counsel) when considering disclosure of confidential information
3. Maintaining and securing records necessary for providing professional services as required by laws, district procedures, and confidentiality guidelines. Student information stored and transmitted electronically is treated with the same care as traditional student records.
4. Making a reasonable effort to secure an appropriate physical space for delivery of services.

END OF POLICY

Legal Reference(s):

[ORS 40.245](#)
[ORS 326.565](#)
[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-022-0220](#)
[OAR 581-022-1510](#)
[OAR 581-022-1660](#)

Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).
Protection of Pupil Rights, 20 U.S.C. Section 1232h; 34 CFR Part 98 (2000).

* As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parents also includes a surrogate parent an adult student whom rights have transferred and foster parent as defined in OAR 581-015-005(18)

** To include Child Development Specialists and Licensed Clinical Social Workers