

UNIVERSITY OF NEBRASKA-LINCOLN

Confidentiality and Release of Information

The University of Nebraska-Lincoln is committed to ensuring that all information regarding an individual is maintained in as confidential a manner as is permitted by law. Any information that is collected by the ADA/504 Compliance Officer or the Director of Services for Students with Disabilities is used for the benefit of the individual. This information may include test data, grades, biographical history, disability information, IEPs or 504 plans, and case notes.

A policy of treatment of such information has been adopted, is rigorously followed, and shared with individuals. The policy statement incorporates relevant state and federal regulations, the guidelines established by the relevant professional associations, and the Board of Regents' policies on Student Information and on Standards and Procedures Relating to the Use of Human Subjects in Research.

No one except the ADA/504 Compliance Officer and the Director and Assistant Director of Services for Students with Disabilities has automatic access to diagnostic information. Any information regarding disability gained from medical or psychological examinations shall be considered confidential and shall be shared with others within the institution on a need-to-know basis only. Disability related information is to be treated as medical information. For example, University faculty and staff do not have a right or a need to access diagnostic or other information regarding an individual's disability-related needs. All disability-related information should be filed with the Services for Students with Disabilities Office in order to protect confidentiality by assuring limited access.

Information in files will not be released except in accordance with federal and state laws requiring release. Release of information would be released in the following circumstances:

If an individual

- states they intend to harm themselves or another person(s)
- reports or describes any physical abuse, neglect, or sexual abuse of children or vulnerable adults within the last three years (this includes the occurrence of abuse or neglect to the individual if they were under age 18 at the time of abuse).
- reports or describes sexual exploitation by counseling or health-care professionals.

In addition, an individual's file may be released pursuant to a court order or subpoena.

Individuals may give written authorization for the release of information when they wish to share it with others. Before giving such authorization, individuals should satisfy themselves that the information is really needed, that they understand the information being sent out, and that giving the information should help them. Information will not be released without consent unless it is required by federal or state law.

The Services for Students with Disabilities Office will retain a copy of all information provided. If an individual wishes to have a record expunged, he/she must make a written request and the Director of Services for Students with Disabilities will make a decision whether it is necessary for the record to be retained.