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|  | **The Commonwealth of Massachusetts**  **Department of Early Education and Care**   |  |  | | --- | --- | | **Policy Bulletin 2017-06** | **EEC Licensing Policy** | |

Title: Confidentiality of Family Information

For use by: Family Child Care, Group and School Age, and Residential and Placement Licensing

Effective date: June 2, 2017

Supersedes: Confidentiality of Family Information issued June 30, 2010

*606 CMR 3.10(4)(b)1 Information contained in a resident's record is privileged and confidential.*

*102 CMR 5.13(1)(e) Information contained in children's, birth parent's, foster and adoptive parent's records shall be privileged and confidential.*

*606 CMR 7.04(12) Information pertaining to children and their families is privileged and confidential. No licensee or educator may distribute or release information about a child or his/her family to any unauthorized person, or discuss with any unauthorized person information about a child or his/her family without the written consent of the child’s parent.*

All early education and care, out of school time, residential and placement licensing regulations contain provisions that protect the information contained in children’s records from unauthorized use and from disclosure to anyone not directly involved in implementing the child’s program without written consent of the child’s parents. The intent of these regulations is to protect the privacy of children and families.

Therefore, early education and care, out of school time, residential and placement programs and their staff may not distribute, share or discuss information (including photographs or other images) about children and families in their care by any means, whether written or verbal, using any medium, including but not limited to telephone, e-mail or electronic text, without the expressed written permission of the child’s parents and/or guardians or pursuant to a court order and/or EEC regulations.

Early education and care and child placement program staff may not discuss children and families in their care with anyone not directly involved in implementing the child’s program, including but not limited to other parents and/or guardians in the program, and may not distribute copies of information in a child’s record without the expressed written permission of the parents and/or guardians or pursuant to a court order.