

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: CONFIDENTIALITY/PRIVACY

CATEGORY: HUMAN RESOURCES

Policy

The Idaho Department of Juvenile Corrections (IDJC) is committed to ensuring the appropriate use and confidentiality of juvenile, employee, and operational business records and related information.

It is therefore the policy of the IDJC that all employees (including volunteers, temporary employees, contract employees, and interns) treat employee, juvenile, and organizational records and information as confidential, within the guidelines of federal and state laws, including Transparent and Ethical Government (public records act), Idaho Code, Title 74, Chapter 1.

Any violation of this policy is considered serious and can be cause for corrective and/or disciplinary action, up to and including dismissal.

Operating Procedures

- I. Expectations and Reporting
 - A. Every IDJC employee has access to information and materials which are confidential. Such information, records, or materials concerning juveniles, employees, or IDJC business is not to be used, released, or discussed with anyone outside the IDJC or with other employees except in the course of business necessity.
 - B. All employees of the IDJC shall be provided with a copy of this policy and be required to sign a Certificate of Understanding (DJC-009) form.
 - C. Employees will ensure that anyone they are communicating with or releasing information to is authorized to receive the information. Employees are not to discuss any information about juveniles unless it is job-related, as required by assigned tasks. Prior to releasing any records, employees should review related policy and ensure the necessary authorization forms are completed.
 1. Prior to releasing case management files, employees should review Control and Maintenance of Case Management Files (663) policy and procedure, and use the Request and Authorization to Release Juvenile Records (DJC-083) form.
 2. Prior to releasing medical records, employees should review Disclosure of Juvenile Health Information (840) policy and procedure, and use Consent for Use and Release of Health Information (DJC-084) form or Request for Juvenile Health Information (DJC-204) form, as appropriate.

3. For educational records, staff should review Management of Educational Records (505) policy and procedure.
 4. For public records, staff should review Public Records (901) policy and procedure, and use the Public Records Request (DJC-049) form.
- D. At no time will employees discuss information concerning juveniles during the course of casual conversation at work, at home, or in public in a fashion that does not support efforts to render quality juvenile care.
 - E. Employees will not discuss IDJC business, facility information, personnel matters, or juvenile matters with or around juveniles, visitors, or other unauthorized persons.
 - F. When in doubt, employees should treat all information as confidential.
 - G. Employees will report known or suspected breaches of confidentiality immediately to any IDJC supervisor. Supervisors will immediately report the information to the respective Division Administrator for follow up.
 - H. Any violation of this policy and procedure by an employee, volunteer, contractor, or intern will result in corrective and/or disciplinary action, up to and including dismissal.

II. Computers, Juvenile Files, and Workspace

- A. The IDJC reserves the right, at all times and without prior notice, to inspect and search any and all IDJC property, including computers and other technological resources for the purpose of determining whether this policy or any other IDJC policy has been violated. Refer to the Inspection of Department Property (329) policy and procedure and Use of Information Technology (230) policy and procedure for more information.
 1. Employees may only access files or programs, whether computerized or not, that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage, or alteration of files, passwords, computer systems or programs, or other property of the IDJC, or improper use of information obtained by unauthorized means is prohibited.
 2. Information in the juvenile case management files (electronic or hard copy) is IDJC property and is protected by federal and state laws regarding confidentiality. Only authorized personnel required by their assigned tasks shall access case management records or other confidential records or information.
- B. Employees shall not leave documents or paper records where unauthorized persons can see them. Employees shall lock and/or otherwise secure records to ensure security of information.
- C. Employees shall use care when faxing or receiving confidential records to ensure the proper recipient obtains the information.
- D. Employees shall position computer screens so the screen cannot be seen by juveniles and unauthorized persons, especially the general public. Employees shall not share their computer user names and passwords and shall complete

confidential transactions and exit to a main screen or sign-off before leaving the work station.

III. Employee Information and Files

- A. All employees have a right to privacy and confidentiality with regard to information contained in their personnel records and information regarding any employment issues, within the public records act. Access to employee files is limited. The employee and each of the employee's supervisors, up to and including the Director, have access to an employee's file. When a promotion, lateral transfer, or demotion is being considered, the employee's file may be reviewed by the hiring supervisor.
- B. Supervisors will not discuss counseling, disciplinary or job performance issues of an employee with anyone other than on a "need to know" basis, which is generally with IDJC attorneys, Human Resources (HR), any supervisor in the employee's chain of command, or another IDJC supervisor considering hiring the employee.
- C. All outside requests for information regarding an employee shall be directed to HR at the headquarters office in Boise. HR, unless otherwise restricted by law, shall restrict information about dates of employment and job title released over the telephone. If written authorization is given by the employee, HR may release additional information from the personnel file. In all cases such as this, the information is to be in writing, and a copy of the data released and identity of the individual to whom it was released is to be maintained in the employee's record.

Reference: [Glossary of Terms and Acronyms](#)
[Title 74 Chapter 1 Idaho Code](#)

Desk Manuals: None

Related Policies: [Ethics and Standards of Conduct](#) (324)
[Inspection of Department Property](#) (329)
[Public Records](#) (901)
[Disclosure of Juvenile Health Information](#) (840)
[Management of Educational Records](#) (505)
[Control and Maintenance of Case Management Files](#) (663)
[Use of Information Technology](#) (230)

Related Forms: [IDJC Employee Orientation and Certificate of Understanding](#) (DJC-009)
[Consent for Use and Release of Health Information](#) (DJC-084)
[Request for Juvenile Health Information](#) (DJC-204)
[Public Records Request](#) (DJC-049)
[Request and Authorization to Release Juvenile Records](#) (DJC-083)