

**Student Health Records**

Change Overview Narrative

- Increased language with additional details
- Update Family Educational Rights and Privacy Act, United States Code Section, Healthier Insurance Portability and Accountability Act, Public Health Law Sections, Education Law Sections and NY Code Rules and Regulations references

## Students

**SUBJECT: STUDENT HEALTH RECORDS**

The District will keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they will be kept confidential.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of students' "education records." For prekindergarten through grade 12 students, health records maintained by the District, including immunization records and school nurse records, generally are considered "education records" subject to FERPA. In addition, records that the District or school maintains on special education students, including records on services provided to students under the Individuals with Disabilities Education Act (IDEA) are considered "education records."

Since student health and medical information in education records is protected by FERPA, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule excludes this information from its coverage.

Generally, these records may not be shared with third parties without written parental consent unless the disclosure meets one of the exceptions to FERPA's general consent requirement. One exception permits the disclosure of education records, without parental consent, to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Parents have a right under FERPA to inspect and review those health and medical records that are considered "education records" under FERPA. Individual records may be interpreted by the school's registered professional nurse to administrators, teachers, and other school officials, consistent with law.

Family Educational Rights and Privacy Act of 1974 (FERPA), 20 USC Section 1232g  
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, 34 CFR Part 99  
45 CFR Parts 160, 162, and 164  
Education Law Sections 902(b) and 905  
8 NYCRR Part 136

Adoption Date



|               |                        |
|---------------|------------------------|
| Book          | POLICY                 |
| Section       | 7000 - Students        |
| Title         | Student Health Records |
| Code          | 7514                   |
| Status        | Active                 |
| Adopted       | June 6, 2005           |
| Last Reviewed | March 9, 2020          |

The school shall keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they shall be kept confidential. Individual records may be interpreted by the nurse to administrators, teachers, and counselors, consistent with law.

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| Legal | 8 New York Code of Rules and Regulations<br>(NYCRR) Part 136 |
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