

CCSD HEALTH CONFIDENTIALITY TRAINING

Definition of Terms

Confidentiality – a person’s obligation to not disclose or transmit information to unauthorized parties

Privacy – a uniquely personal right that reflects an individual’s freedom from intrusion

Legitimate educational interest - An employee has a legitimate educational interest if the employee needs the information in order to fulfill his or her professional responsibility

School official - A person employed by CCSD

NOTE: This does not include **NON-CCSD employees** such as; PTA members, volunteers, parents who are **not** the student’s parent, and other students.

Who has access to a student or employee information?

Medical and school personnel assisting the student for health and safety needs.

Who has access to medical information?

School nurses, counselors, and instructional personnel

Employees who work with employee and student attendance

Employees who work with special education students

Administrators who supervise employees and students

Human Resources and Payroll personnel

Strictly Confidential Information

You **must** receive written consent to disclose the following information:

Any diagnosed medical/mental/physical condition

Use of prescription medications

A diagnosed learning disability

Current or previous status as a “special education” student

History of drug/alcohol abuse or treatment

HIV or AIDS status

How can I be sure that I am doing the right thing?

When in doubt, don't release medical information before consulting with your administrator or district nurse.

Obtain written consent before giving out any identifiable student information.

Avoid conversations about students for whom you have no legitimate reason to discuss.

Avoid discussions with non-employees about any students except their own.

Avoid comments that may be heard by others in places where others can hear, i.e., grocery store, sporting events, hallways, and doctor's office.

Share Health Information only for:

Collaboration with colleagues who teach the child and others who have a **legitimate** need for the information.

Sharing Health Information via email:

It is best practice to use a student's PowerSchool ID number (not their name) when the need arises to share health information via email with someone within the district such as your principal or school nurse.

Repercussions for Violations

Employee disciplinary action

School district risks losing funding from the federal government

Families can file punitive lawsuits against districts

Employees are not immune from liability (i.e., families can file punitive lawsuits against an employee)

Conclusion

Safeguarding the privacy and confidentiality of student information is the responsibility of everyone in the district.

These rights are some of the most cherished in our society.

Violations of FERPA-HIPAA can be both costly for CCSD, students, families, and you.

Most importantly, violations can adversely affect a student's life and ability to learn.