



Communicable Diseases and Disclosures of Student Information To County Health Officials

Purpose

During times of a potential or confirmed spread of a communicable disease, schools may receive requests from health officials from the county health department for student personally identifiable information (PII). Broward County Public Schools (BCPS) will collaborate with the Florida Department of Health in Broward County (DOH) to ensure the safety of all of our students. The School District is also required by law to respect each student's privacy rights and to disclose student information only in compliance with state and federal laws. This fact sheet covers the District's procedures for disclosing student information to county health officials.

Guiding Principles

1. Health officials need selected information pertaining to students to effectively address the outbreak of a communicable disease.
2. Students and parents have privacy rights under several laws, including but not limited to:
 - Family Educational Rights and Privacy Act (FERPA) (42 USC 1232g, FERPA, 34 C.F.R Section 99.30)
 - Under FERPA, 34 CFR 99.36, the District may disclose student PII without consent after determining "there is an articulable threat to the health and safety of a student or other individuals."
 - Florida Statutes 1002.22, 1002.221, and 1002.222.
3. In accordance with FERPA, students' PII is confidential and may only be disclosed to health officials as follows:
 - With written consent of the parent or student age 18 or over.
 - Without written consent in connection with a FERPA-defined health or safety emergency, as long as the disclosure is limited to the information necessary to address the public health threat. In this context "emergency" means a contagious illness that has "public health significance."
4. Pursuant to Florida Statute 1003.22(9), the presence of any of the communicable diseases for which immunization is required by the Department of Health in a Florida public school shall permit the county health department or State Health Officer to declare a communicable disease emergency.

STEPS FOR WHEN THE SCHOOL PRINCIPAL SUSPECTS A DISEASE OUTBREAK

1. Principal notices symptoms, increase in absences, report of diseases, etc.
2. Principal contacts Coordinated Student Health Services (754-321-1575) and Risk Management (754-321-1900).
3. In a collaborative effort, Coordinated Student Health Services contacts DOH to ascertain the student PII needed to address the situation.
4. Coordinated Student Health Services notifies the school as to information to be released to DOH.
5. School discloses the information directly to DOH.
6. For information disclosed under the FERPA exception to consent, school notates the information released on the FERPA Disclosure Log (for each student) – or form letter (with date of request, date of disclosure, type of information requested, purpose of disclosure, and person making the disclosure). The FERPA Disclosure Log may be found on the District’s Privacy Information website at:

<http://www.broward.k12.fl.us/ets/css/retrec/recordsret/pdfs/FERPADISCLOSURELOG.pdf>

7. Director of Coordinated Student Health Services maintains record of location(s) impacted and rational basis for the disclosure.

STEPS IF DOH SUSPECTS A DISEASE OUTBREAK:

1. DOH contacts Director of Coordinated Student Health Services (754-321-1575) and informs Director of situation and student PII they will need.
2. Coordinated Student Health Services notifies the school as to information to be released to DOH.
3. School discloses the information directly to DOH.
4. For information disclosed under the FERPA exception to consent, school notates the information released on FERPA Disclosure Log (for each student) – or form letter (with date of request, date of disclosure, type of information requested, purpose of disclosure, and person making the disclosure). The FERPA Disclosure Log may be found on the District’s Privacy Information website at:

<http://www.broward.k12.fl.us/ets/css/retrec/recordsret/pdfs/FERPADISCLOSURELOG.pdf>

5. Director of Coordinated Student Health Services maintains record of location(s) impacted and rational basis for the disclosure.

PRIOR TO A HEALTH OR SAFETY EMERGENCY

At times when there is a potential but not confirmed (by DOH) **health or safety emergency**, the school may disclose student information to county health officials as follows: If the parent or student age 18 or over has signed the Release of Medical Information section of the *Student*

Emergency Contact Card (SECC), the school may disclose the types of information listed in the consent statement from the SECC:

“I hereby authorize for my child’s medical information, parental contact information, and other health information (collected from health services provided at school, including information stored electronically) to be shared with emergency personnel and health department officials to address conditions of public health importance, including information to meet and to prepare for potential or confirmed health conditions.”

The SECC may be found on the official forms website at this link:

<http://www.broward.k12.fl.us/ets/css/secret/recordsret/pdfs/StudentEmergencyCard4172.pdf>

1. If the county health department is requesting “directory information” only (including: student name, parent name, residential address, telephone number, date of birth and/or school grade level), the school may disclose the information as long as the parent or student age 18 or over did not “opt out” of the disclosure on the completed *FERPA Opt-Out Notification Form*. This form specifies the Board-approved purpose of the disclosure as follows:

“...to Broward County health officials for purposes of communicating with parents to address conditions of public health importance as determined by the Florida Department of Health (64D-3, F.A.C.), including information to meet or to prepare for a potential or confirmed health threat...”

The *FERPA Opt-Out Notification Form* may be found in the Code of Student Conduct (p. xiii) at the following link:

<http://asp-us.secure-zone.net/v2/index.jsp?id=115/186/1039&lng=en>