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Student Health Records

R 5308 STUDENT HEALTH RECORDS

Student health records shall be maintained for each **student** pursuant to N.J.A.C. 6A:16-2.4. Maintenance and security of **student** health records shall be in accordance with N.J.A.C. 6A:32-7.4.

A. Mandated **Student** Health Records

1. The following mandated **student** health records shall be maintained:
 - a. Findings of health histories, medical examinations, and health screenings pursuant to N.J.A.C. 6A:16-2.2 and 4.3; and
 - b. Documentation of immunizations against communicable diseases or exemption from these immunizations pursuant to N.J.A.C. 8:57-4.1, **4.3, and 4.4.**
2. The district will document the findings of **student** health histories, health screenings, and required medical examinations that are relevant to school participation on the **student's** health record using a form approved by the Commissioner of Education.

B. Maintenance of **Student** Health Records

1. The school district shall maintain **student** health records in accordance with N.J.A.C. 6A:32-7.4 as follows:
 - a. **Student health records may be stored electronically or in paper format. When records are stored electronically, proper security and backup procedures shall be administered;**
 - b. **Student** health records, **whether stored on paper or electronically**, shall be maintained separately from other **student** records, **until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record; and**



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- c. **Student** health records shall be accessible **during the hours in which the school program is in operation.**

C. Transferring **Student** Health Records

The school district shall ensure **compliance with the requirements of N.J.A.C. 6A:32-7 – Student Records and Policy and Regulation 8330** when transferring **student** health records.

D. Restrictions for Sharing **Student** Health Information

1. Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing information as required by Federal and State statutes and regulations.
 - a. Information that identifies a **student** as having HIV infection or AIDS shall be shared only with prior written informed consent of the **student** age twelve or greater, or of the **student's** parent as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the **student**.
 - b. Information obtained by the school's alcohol and other drug program which would identify the **student** as an alcohol or other drug user may be disclosed only for those purposes and under those conditions permitted by 42 CFR Part 2.
 - c. Information provided by a secondary school **student** while participating in a school-based alcohol or other drug counseling program that indicates a parent, guardian, or other person residing in the **student's** household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.

E. Access to **Student** Health Records

1. Access to and disclosure of information in the **student's** health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, **and** 34 CFR Part



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99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7 **et seq.**, Student Records.

2. The school district shall provide access to the **student** health records to licensed medical personnel; not holding educational certification; who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties.
 - a. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the **student's** health record necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

Nothing in N.J.A.C. 6A:16-2.4 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing to **students** or adults in connection with an emergency **the information contained in the student health record**; if **the release** is necessary to protect the immediate health or safety of the **student** or other persons pursuant to N.J.A.C. 6A:32-7.4.

Issued:

