



Student Health Information Confidentiality Policy 2018-2019

FASCINATING MINDS



SINCE 1911

Student Health Information Confidentiality Policy Information Sheet for Parents and Students

Appleby College respects the privacy of health information. We also recognize that health issues may be physical, cognitive, affective or a combination of these. Health issues can present in many ways; for example, anxiety or stress can show up in absences and incomplete work. Sometimes when students encounter a health issue, their academic and social performance suffers. We want to ensure that this effect is mitigated or does not happen in the first place.

Appleby comes to know about student health issues through our academic and educational program. In this context, students or parents may share information with teachers, coaches, counsellors or others involved in a student's academic life. Information gathered in this fashion is treated confidentially and in accordance with all of our obligations at common law.

In addition, Appleby acquires personal health information when students seek out health care from the Health Centre which is located on our campus. The Health Centre is staffed by regulated health professionals who are employees of Appleby, as well as physicians who are independent practitioners. Appleby owns the Health Centre and is responsible for the health information that is gathered and stored at the Centre.

The purpose of this policy is to distinguish the health information which becomes known through the ordinary course of providing an academic and educational program from the health information gathered through the Health Centre. Students attending the Health Centre are seeking out health care from a regulated health care provider. The school Health Centre manages personal health information in accordance with the *Personal Health Information Protection Act, 2004* and the *Regulated Health Professionals Act, 1999*.

Appleby seeks to support our students when they do fall ill, and to ensure it fulfills all of its legal obligations in relation to its use of health information. As it is permitted to do by the *Personal Health Information Protection Act*, Appleby College has appointed certain employees with the responsibility of collaborating with the student who has sought health care and is experiencing a health issue, and their parent(s)/guardian(s), to determine and implement the supports needed to continue in their school-related responsibilities. These individuals are referred to as "Agents" within the act and together they constitute the Circle of Care for each Appleby student; all Agents are school employees. Agents within the Circle of Care include: Principal; Head of School; Assistant Heads of School; House Directors, Assistant House Directors and Dons; Director, Health Centre; Nurses, Health Centre; Administrative Assistant, Health Centre; Director, Wellness; Director, Guidance; Guidance Counselors; School Directors; Information Technology staff.

Best practice indicates that students are better able to manage despite a health issue when individuals within the Circle of Care are transparent in terms of what the student requires of the school if/when they develop a health issue, such as a concussion or depression. Information will only be shared within the Circle of Care when a health issue significantly impacts a student's daily life (i.e. the ability to attend class consistently, to complete homework, to attend a school trip).

Sharing of "need to know" information about a student from the Agent/Circle of Care to the student's Advisor and/or teacher(s) and/or coaches, club leaders, etc. will be done to support the student holistically, as necessary based on the consent signed by each parent and/or student. Since student health information will not affect grades or post-secondary admissions, we will leave it in the hands of the family to disclose any further details

pertaining to personal health information to the student's Advisor and/or teacher(s) and/or coaches, club leaders, etc. As such, student health information will not be addressed in Student Reports.

Pertinent student health information is only shared with those involved in a student's care and with individuals at Appleby College who require the information because they are responsible for your child's safety and wellbeing.

All of the professionals working in the Appleby College Health Centre are regulated health professionals who are employed by Appleby College and who follow the guidelines and requirements of their regulatory colleges. This includes: all Registered Nurses and the Occupational Therapist. The Centre also contracts a School Physician to attend the Health Centre on an as needed basis to provide medical consultation for students who do not have a local family physician. The School Physician is not employed by Appleby but the School Physician does record and maintain their own, separate record of health information about the students they consult on.

Appleby College has distinct record keeping within the Health Centre. The health records stored within the Health Centre are generally accessible only to the regulated health professionals who work in the Centre and are employees of Appleby and to the non-regulated administrative and IT staff who support the work of the regulated health professionals. Information stored in the Centre can be shared with any of the designated Agents on an as needed basis with a view to ensuring the well-being of the student and the student community.

Personal health information will not be provided to someone other than a designated Agent, without the student's and/or parent'(s)/guardian'(s) prior consent which Appleby anticipates receiving at the outset of each academic year. Appleby will ensure the information is shared on the most limited basis that is possible in the circumstance and that the support offered to the student is appropriate to the situation. Students may be supported in a number of ways depending on the nature of the health issue (i.e. what the health issue is, whether the student is receiving treatment for it, and so forth).

Student health information will not affect grades or post-secondary admissions; therefore it is not addressed in Student Reports.

Student Health Information Confidentiality Policy

Examples When Student Health Information May be Shared

At registration every year Appleby College asks students and their parent(s)/guardian(s) to give express consent to allow it to share health information about the student on an as-needed basis during the course of the year, if, in the School's opinion, the student would benefit from a collaborative approach to care at the School's discretion. This express consent allows information to be shared throughout the school year without seeking express consent each and every time information needs to be shared. Students and their parent(s)/guardian(s) may withdraw consent at any time.

There is a difference between consent and assent. Consent means that the individual has the ability to understand and appreciate the nature of the consequences of their health-related decisions. Assent refers to the ability to understand but not fully appreciate the significance of the consequences of one's decisions. In Ontario, there is no legal age to grant consent for health related issues. Capacity to consent is determined on a case by case basis bearing in mind that some health care decisions are much more complex than others. For example, a 14 year old may be able to provide consent for a routine flu shot, however a 16 year old may not be able to provide consent for treatment during a major depressive episode. Health care practitioners are experienced at assessing a person's capacity to make health related decisions. If it appears the student is not able to understand and appreciate the nature of a particular health care decision, the regulated health professional will be in touch with the student's parent(s) or guardian(s) to obtain consent. The *Health Care Consent Act* does allow health practitioners to treat in the event of an emergency which ensures that students will be given the health care they require.

Appleby thinks it is important to have parent(s) and /or guardian(s) involved in a student's life at school. As such, Appleby will seek consent to share health information from parents and guardians. If a student is believed by the parent or school to be able to make his or her own decisions regarding the sharing of health information, then those students can also sign the consent form.

Below we set out several scenarios to demonstrate how this policy will be put into action at school:

1. A 13 year old day student is visiting the Health Centre frequently due to a physical illness, is missing several classes, received an abnormally low test grade (likely due to missing several classes) and is feeling anxious to the point that she is now avoiding going to class. Since the student and their parents signed the *Student Health Confidentiality Policy Consent Form* at the beginning of the school year, the nurse will check with the student that they still consent to making the Director, Guidance aware of how this particular health issue has been affecting academics. The Director of Guidance will be asked if a plan can be developed, in collaboration with the student, to catch-up with academics despite having a continuous health concern. The school would then contact the student's parent(s)/guardian(s) to advise them of the proposed plan to support the student academically while they seek treatment for the ongoing health concern.
2. A 17 year old day or boarding student sustains a concussion and although they are currently at Step 4 in their return-to-learn and return-to-play plan, the most recent visit to the concussion specialist indicated that the student should regress to Step 2 in the plan due to recent reappearance of symptoms. Since the student or his parent already consented to the sharing of health information, the student will be told of the plan to update his parents, the Grade Band Guidance Counselor and School Director to ensure that the student's academic and sport accommodations are revised for the student's safety. As the student is more than likely

capable of making his own decisions regarding the sharing of his health information, the student could ask that some or all of the information not be shared with some or all of the proposed individuals. Should this occur, the nurse or other health practitioner would speak to the student about the consequences of not sharing the information and would advise the Head of School, as a designated Agent of the School, so the Head of School and student could discuss the situation and the implications of the desire to limit the sharing of information about the concussion status.

3. A 16 year old student is scheduled to go on an International Service Trip, as part of the Appleby College curriculum, to Africa. The Appleby employees who accompany this student on the trip will be given certain, select pieces of health information from the student's health record by nurses in the Health Centre. On this trip, the Appleby employees who have not already been named as Agents by the School (for example, an English teacher), while serving in their role as in loco parentis on this trip, will have access to the select pieces of health information about this student in case of emergency (not student's health record in its entirety). They will have a list of the student's allergies, current medications and ongoing health conditions which may pose a significant risk while overseas (for example, epilepsy). Upon returning from the trip, the employees who travelled to Africa will no longer have access to this information as they are relieved of their temporary in loco parentis roles.

There are rare instances when individuals within the Circle of Care may need to disclose health information about a student on an urgent basis, without consent. For example, if the student is at imminent risk of harming themselves or others. In this circumstance, the school will first do what it can to ensure the student's safety by taking appropriate action and will then do everything in its power to obtain consent from the student or parent/guardian in their time of crisis.

If you have any questions or concerns, please do not hesitate to contact us.

Student Health Information Confidentiality Policy Express Consent

Dear Student and Parent(s)/Guardian(s),

Sometimes when students encounter a health issue, their academic and social performance suffers. We want to ensure that this effect is mitigated or does not happen in the first place. To support our students when they do fall ill, we have appointed certain employees at the school with the responsibility of collaborating with the student, their parent(s)/guardian(s) and the regulated health care providers in the Health Centre to determine and implement the supports needed for students with health concerns to continue in their school-related responsibilities. Students may be supported in a number of ways depending on the nature of the health issue (i.e. what the health issue is, whether the student is receiving treatment for it, etc.).

Appleby College recognizes that health issues may be physical, cognitive, affective or a combination of these. Health issues can present in many ways; for example, anxiety or stress can show up in absences and incomplete work. It is our intention that Agents within our Circle of Care will be transparent in terms of what assistance the student requires of the school if/when they develop a health issue. The Circle of Care includes: the Principal; Head of School; Assistant Heads of School; House Directors, Assistant House Directors and Dons; Director, Health Centre; Nurses, Health Centre; Administrative Assistant, Health Centre; Director, Wellness; Director, Guidance; Guidance Counselors; School Directors; Information Technology Administrator. Appleby College has designated these individuals as Agents within the meaning of the *Personal Health Information Protection Act, 2004*.

If a student attends at the Health Centre for a health concern which could affect the student's academic performance or school participation, some limited health information may be shared with individuals such as teachers, coaches and Advisors so that appropriate supports can be made for the child. While serving in their roles as in loco parentis (on International Service trips and off-site field trips), the travelling employees will have access to certain, select health information from the student's health record to be used in case of emergency (i.e. allergies, current medications and pre-existing health conditions which may put the student(s) at risk). Upon returning from the trip, the travelling employees will no longer have access to this information. Therefore detailed health information will only be shared with the designated Agents noted above. Students may be supported in a number of ways depending on the nature of the health issue (i.e. whether the student is receiving treatment and so forth). We leave it in the hands of the family to disclose any further details pertaining to personal health information to the student's Advisor and/or teacher(s) and/or coaches, club leaders, etc. Student health information will not affect grades or post-secondary admissions; therefore it is not addressed in Student Reports.

Appleby is committed to transparency and will ensure that when student health information is shared in accordance with this Consent, the student and/or parent/guardian will be advised of the fact the information was shared with someone who is not a designated Agent, with whom the information was shared and the purpose for sharing the information.

By agreeing in this section of the Registration Document, you are giving the School express consent to share your son/daughter's personal health information as determined necessary by the health professionals working in the Health Centre or the designated Agents to support your child's academic and social performance at Appleby College. If you have any questions or concerns at any time about this policy or our health information practices, please do not hesitate to contact Tom Karcz, assistant head, student life, at ext. 332 or tkarcz@appleby.on.ca.