"FERPA No Consent" Checkbox in MCIR/SIRS and Forms Frequently Asked Questions: Information for Schools

Why is the FERPA No Consent Checkbox important?

The Family Educational Rights and Privacy Act (FERPA) regulates the release of a student's education records. Any student's vaccine information and/or waiver status held by a school is protected by FERPA, including entry of such data by school personnel in the Michigan Care Improvement Registry (MCIR) under the School Immunization Reporting System (SIRS). Parents/guardians must sign FERPA consent before a school can enter a student's personally identifiable information (PII) and immunization/waiver information into MCIR/SIRS. If a parent/guardian gives FERPA consent, an **unchecked FERPA box** will be seen in MCIR/SIRS. This **unchecked box** grants parent/guardian permission for schools to enter PII and vaccine and/or waiver data in MCIR/SIRS for sharing with local health departments (LHDs). It is anticipated that most parents will provide permission.

How does FERPA intersect with the administrative rule regarding immunizations?

FERPA applies to education records held by the schools and this includes immunization documentation:

- When the school receives a nonmedical waiver, medical contraindication form, or an immunization record, the school must comply with FERPA rules and ensure that the parent/guardian has provided permission to share any information.
- School personnel must send the form, *Consent for Disclosure of Immunization Information to Local and State Health Departments*, to students' homes for parent/guardian signatures and then collect all forms and retain in students' files.
- Parents or guardians who give permission to share a student's immunization record will have an **unchecked FERPA No Consent box in MCIR/SIRS**. This indicates that a parent or guardian has provided consent for schools to enter PII and vaccination data into MCIR/SIRS to be shared with the Stateand LHDs. **If parent/guardian fails to return the form, there is no FERPA consent**.
- FERPA is an active consent or opt in process. If a consent form is not collected the school will need to **check the "FERPA No Consent" box in MCIR/SIRS, and the immunization information will not be shared with the State and LHDs.**
  For more information, refer to: www.mcir.org/school-childcare/reporting-immunization-program-status-to-the-health-department/.

Does the "Consent for Disclosure of Immunization Information to Local and State Health Departments" form need to be redone with each assessment year?

After initial submission to the school, there is no need to complete the FERPA consent form every year, unless the student changes schools. The school is responsible to establish FERPA consent. Please retain this form in the student's file.

Does this replace the immunization waiver document?

No. Parents/guardians seeking to claim a nonmedical waiver are still required to participate in an immunization education session with LHD staff. During the session, parents/guardians can ask any immunization-related questions and concerns they may have. The staff will present evidence-based information regarding the risks of vaccine-preventable diseases and the benefits/potential risks (risks consisting mostly of moderate side effects) of vaccination. This rule preserves the ability to obtain a nonmedical waiver following the completion of the required educational session.

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What if school personnel fail to receive from a parent/guardian the signed consent form, or receive a signed consent form which prohibits authorization of sharing a student's immunization data?

When a parent/guardian does not give permission for the school to share PII and immunization data in MCIR/SIRS, the MCIR/SIRS "FERPA No Consent" checkbox should be utilized. Immunization information will be reported using aggregate numbers on the "School Aggregate Reporting Form" to the local health department.

The school MCIR/SIRS user will take the following steps:

1. Log into MCIR/SIRS
2. Search for student
3. On student information page, click ***Edit Information*** hyperlink (screenshot 1)
4. Edit school information for the student by ***checking the "FERPA No Consent" checkbox***
5. Save the change by clicking the ***Submit*** button

The **"FERPA No Consent"** checkbox with a checkmark should now be visible.

In Summary:

Consent = an unchecked/blank FERPA checkbox

No consent = a checked FERPA checkbox, do not share data with MDHHS/LHD

How does a FERPA exclusion affect school generated reports sent to the LHD?

The school will have the option to check a box called "FERPA excluded" when generating the following reports: IP-100 Detail, Incompletes, and Provisionals. All students who have the "FERPA No Consent" box checked on the General Information Screen within their MCIR/SIRS record will not display on these reports.

In order for the "FERPA No Consent" students to be included in the schools overall total reported percentage, their deidentified vaccine information will be tallied on the school aggregate report form and manually calculated into the totals.

In Summary:

Where can I find more information?

For more information, please visit **www.mcir.org/school-childcare/forms/reports**

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