

Body Mass Index (BMI)
Indiana Department of Education
FAQs for School Personnel
(Pages 1-4)

1. Does Indiana have a state statute requiring the data collection of a student's BMI measurement?

No. There is not a state policy or state statute that requires or recommends the collection of BMI data for schools. School personnel should consider that BMI measurement may be a sensitive issue for some students. "Little is known about the outcomes of BMI measurement programs, including effects on weight-related knowledge, attitudes, and behaviors of youth and their families." (Centers for Disease Control and Prevention: Body Mass Index Measurement in Schools: Executive Summary (p.2). Retrieved (2014) from <http://www.cdc.gov/healthyouth/npao/publications.htm#10>)

2. Is parent/guardian *written* consent required for the collection and disclosure of student BMI measurement data to an outside entity?

Yes. BMI data may be collected for use by an outside entity with *written* parent consent. The Family Educational and Rights and Privacy Act (**FERPA**) protect the student's "educational record". The term "educational record" is broadly defined to mean those records that are: (1) directly related to a student, and (2) maintained by an educational agency or institution or by a party acting for the agency or institution (FERPA: 34 CFR §99.3). Therefore, prior *written* parent/guardian consent (or the written consent if an eligible student [18 or older] or emancipated) is required for the disclosure of information.

3. Should parent/guardian *written* consent be obtained if the BMI measurement data is for "school use only"?

Students and families may be sensitive to the collection of student BMI measurement data; therefore, it would be best practice to notify parents and receive *written* consent with an option to participate or opt-out. Schools should develop and adopt a policy regarding the collection of BMI measurements. (Protection of Pupil Rights: Statute: 20 U.S.C. §1232h & Regulations: 34 CFR 98)

4. What should a parent consent form include?

- a. Parent/guardian (or eligible student [18yrs or older] or emancipated) signature and date.
- b. Who will collect the data?
- c. What data will be collected?
- d. Where will the data be collected (e.g., including student's privacy)?
- e. Will the information be shared?
If "yes", (1) to whom (2) for what purpose (3) What will happen to the data when no longer needed?
(FERPA: 34 CFR §99.3)

5. Should a parent be notified of their student's BMI measurement?

Yes. Although, surveillance (vs. screening) data is sometimes collected without results being shared with parents, it is the recommendation of the Indiana Department of Education that BMI results should be shared with parents. This should be done per school policy with priority given to the **respect of confidentiality** (e.g., mail or direct communication). The parental notification of BMI results should also include: a BMI results guide, healthy life-style educational materials, and a recommendation to contact student's health care provider to interpret the results.

6. We use passive (opt-out) parental consent for vision and hearing, why not BMI?

Vision and hearing screenings are *state mandated* requirements for all students. Therefore, passive consent is acceptable and as always a parent may choose to "opt-out" their child from participating in any type of health screening. BMI measurement is not a state mandated screening. A BMI measurement does not directly influence performance in the classroom (i.e., poor vision or hearing).

7. May aggregate BMI data be disclosed to an outside entity?

Yes. With written parent consent and if the information is made to another state agency and the data does not contain information that makes the student's identity readily traceable (see FERPA 34 CFR § 99).

Caution: Although disclosed data may *de-identify a student*, it may allow a reasonable person in the school community who does not have personal knowledge of the student to identify the student (e.g., extremely high BMI measurement may be linked to an obese individual).

Caution: Aggregate data with a **data point of 10 or less may not be reported** per U.S. Department of Education: Family Policy and Compliance Office.

8. What other guidance should a school consider if they choose to implement a BMI screening or surveillance program?

There is insignificant data available in determining whether or not BMI measurement surveillance or screening is an acceptable means of improving the school health environment (i.e., nutrition and activity). Consideration should be given to discuss alternate options in evaluating health behavior programs without the collection of student BMI measurements at school. Consider the following if a BMI measurement program is implemented in your school.

Develop a BMI School Policy with committee members that may include: school staff who will be facilitating the BMI measurement event, other key staff (PE teacher, administrator, school nurse, dietary services, wellness policy director), parents, health care professionals, and community members that may provide healthy living programs. A policy may include the following:

- a. Use of properly maintained equipment.
- b. Use of properly trained staff (use of volunteers is not recommended).
- c. Proper space to ensure student privacy (visual and audio) during the event. Always keep in mind the potential sensitivity and embarrassment of some students regardless of their body size or gender.
- d. Available resources for students identified as needing referrals.
- e. Communication with parents: Pre-notification letters, consents, BMI results privately shared (e.g., mail or direct communication), healthy lifestyle education, and recommendation for parents to notify student's health care provider for interpretation of results.
- f. Consideration to changes in your school's wellness policy to encourage healthy living behaviors in the school environment.

**Body Mass Index
(BMI)**

***Surveillance**

The systematic collection, analysis, and interpretation of data from a consensus or representative sample.

***Screening**

Identifies individuals who are at risk of complications due to underweight, overweight, and obesity.

Both require parent consent. Must have educational materials available regarding results and healthy lifestyle behaviors.

Must have a program in place to impact system change and measure program's effectiveness.

Must have a referral system in place to impact individual results.

BMI measurement result to parent not required but made available upon request.

BMI measurement result to parent mandatory.

GOAL: System change or evaluate program effectiveness.

GOAL: Find, refer, and treat individual students identified as underweight or overweight.

*Definitions retrieved from: Indiana State Department of Health. Indiana Healthy Schools Toolkit. Chapter 6 pp. 1 and 3
<http://www.inhealthyweight.org/163.htm>