

The *Access to Information Act* (ATIA) ensures individual right of access to information and protects the personal information of the public, and employees of the public bodies operating in Alberta. ATIA gives the public the right to request access to certain records under the Division's custody or control. ATIA also provides the rules by which a request may be made, and the considerations appropriate for granting, refusing, or limiting access to records.

The Division will provide access to information to the extent required by ATIA in accordance with this administrative procedure. In the event of any inconsistency, or conflict, between the ATIA and this administrative procedure, then the provisions of ATIA will override this administrative procedure to the extent necessary to resolve the inconsistency or conflict.

Procedures

1. The Superintendent shall serve as the Head of Public under section 87(1) of the Access to Information Act. The Superintendent retains all duties, powers, and functions related to privileged information, compliance with orders and ensuring ECACS complies with the provisions of the Act.
2. The Superintendent delegates all other duties, powers and functions to the Secretary-Treasurer who serves as the Privacy and Access Coordinator.
3. The Secretary Treasurer is authorized to fulfill the duties described in the Access to Information Act and to recommend procedures and practices to ensure appropriate management of records and access.
4. The Secretary Treasurer is required to make every reasonable effort to assist applicants and to respond to each applicant openly, accurately and completely.
5. Fee schedules will be set from time to time by the Secretary Treasurer as outlined in Sections 13-16 in the Access to Information Regulation.
6. To obtain access to a record, a person must make the request in writing using the [Access to Information Request Form](#).
 - 6.1. Such a request must provide enough detail to enable the Secretary Treasurer to locate and identify the record within a reasonable time with reasonable effort.
 - 6.2. The request must be accompanied by the appropriate fee.
7. The Secretary Treasurer may initially disregard or abandon the request if the applicant does not provide the necessary information or pay any required fees.
8. The Secretary Treasurer must make every reasonable effort to respond to a request within thirty (30) business days after all necessary information has been received.
 - 8.1. If necessary, the Secretary Treasurer may initially extend the response period for up to an additional thirty (30) business days when agreement is received from the applicant

or for legitimate reasons to be stated.

8.2. Further extensions may be taken in reasonable circumstances.

8.3. Decisions taken to extend responses are reviewable by the Commissioner.

9. The Secretary Treasurer has a duty to assist an application, including making every reasonable effort to assist applicants and to respond to each request openly, accurately and completely.

10. In determining whether or not to grant access the Secretary Treasurer shall consider all matters under Part 1, Division 2 of ATIA including:

10.1. Whether the record falls within an exception under section 4(1) of ATIA;

10.2. Whether the disclosure would be harmful to the business interests of a third party;

10.3. Whether the disclosure would be harmful to personal privacy and an unreasonable invasion of personal privacy;

10.4. Whether the disclosure is harmful to any person or to public safety;

10.5. Whether the disclosure will threaten anyone's safety or mental or physical health; interfere with public safety; or cause an applicant to do immediate and grave harm to themselves or others;

10.6. Whether the disclosure relates to confidential information that is evaluative or opinion material compiled for the purpose of determining the applicant's suitability, eligibility or qualifications for employment or for the awarding of contracts or other benefits by a public body;

10.7. Whether the information would be harmful to law enforcement matters;

10.8. Whether the information would interfere with prejudice or harm workplace investigations;

10.9. Whether the disclosure would be harmful to economic or other interests of the Division, including information about labour relations and collective bargaining or the Alberta Government;

10.10. Whether the information contains advice, proposals, recommendations, analyses or policy options developed by or for the public body;

10.11. Whether the disclosure relates to testing, auditing, standardized tests or related procedures or techniques;

10.12. Whether the information is privileged, as in legal privilege, solicitor-client privilege and parliamentary privilege;

10.13. Whether the disclosure would lead to damage or conversion of heritage sites;

- 10.14. Whether the disclosure could be expected to harm certain inter-governmental relations.
- 10.15. Whether the disclosure would reveal local public body confidences, including drafts of bylaws, resolutions, legal instruments and the substance of deliberations of in-camera meetings;
- 10.16. Whether the information is readily available to the public or will be within the next 60 days.
11. The Division may designate categories of records to be available to the public without the need for an access for request.
- 11.1. The Division may redact information from such records as appropriate.
- 11.2. A person may not make an access to information request for any record that has been made public by the Division.
12. The Division has a duty to allow for independent reviews of decisions made by the Division under the Act and the resolution of complaints under the Act.
13. The Division has a duty to comply with orders of the Commissioner.
14. The Secretary Treasurer must make any manual, handbook or guideline used by Division employees in decision-making processes that affect the public available to the public without a request for access under the Act.
- 14.1. A fee may be charged for materials unless the materials can be accessed without a fee.

[Access to Information Request Form](#)

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Reference: Sections 52, 53, 65, 68, 222 Education Act
Access to Information Act
Access to Information Regulation

ATIA FEE SCHEDULE

If fees are expected to exceed one hundred fifty dollars (\$150.00), the Secretary Treasurer must provide an estimate in advance. The Division requires a deposit of fifty percent (50%) of the fee prior to processing the request.

1) Initial fee for one-time ATIA Requests	\$25.00
2) Initial fee for ATIA requests requiring specific information on a continuing basis	\$50.00
3) Fees for processing requests for general records. The ATIA fees apply when the estimated costs to locate the copy records as a result of a ATIA request exceed \$150.00:	
a) For searching for, locating and retrieving a record	\$6.75/15 min
b) For converting a record into a redactable format	\$0.25/page
c) For reformatting audiovisual files into a redactable format	\$6.75/15 min
d) For producing a paper copy of a record:	
• Photocopies and computer printouts: Black and white Up to 8 ½" x 14"	\$0.25/page
• Photocopies and computer printouts: other formats	\$0.50/page
• From microfiche or microfilm	\$0.50/page
• Plans and blueprints	Actual cost to the Division
e) For producing a copy of a record by duplication of the following media:	
• Microfiche and microfilm	Actual cost to the Division
• Computer disks	\$5.00/disk
• Computer tapes	Actual cost to the Division
• Slides	\$2.00/slide
• Audio and video tapes	Actual cost to the Division

- f) For producing a photographic copy (colour or black and white) printed on photographic paper from a negative, slide or digital image:
- 4" x 6" \$3.00
 - 5" x 7" \$6.00
 - 8" x 10" \$10.00
 - 11" x 14" \$20.00
 - 16" x 20" \$30.00
- g) For producing a copy of a record by any process or in a medium or or format not listed in (b)-(f) Actual cost to the Division
- h) For preparing the handling of a record for disclosure. \$6.75/15 min
- i) For supervising an examination of a record \$6.75/15 min
- j) For shipping a record or a copy of a record Actual cost to the Division.
- 4) Fees for producing a copy of an applicant's own personal information in accordance with 3(d)-(g), when the costs exceed \$10.00.