

The student record for a student or child contains all information affecting the decisions made about the education of that student or child that is collected or maintained by the Division.

Unlike other records within the school division, the student record is not solely the property of the school division. It is specifically held in trust by the Division on behalf of the student.

The purpose of this Administrative Procedure is to ensure:

- The integrity, authenticity and reliability of student records is maintained.
- All student records are managed consistently and securely throughout their life cycle, whether that life cycle terminates in disposition or through the transfer of records to another school.

#### Definitions

Access shall refer to a person's ability to view or to retain a copy of records.

Independent Student: shall mean a student who is:

- 18 years of age or older, or
- 16 years of age or older, and
  - Who is living independently as determined by the Board in accordance with section 6 of the Education Act, or
  - Who is a party to an agreement under section 57.2 of the Child, Youth and Family Enhancement Act.

Student Information: refers to all information gathered by the school division or its staff members relating to a specific student. It consists of two subsets:

- Student Record shall consist of all information that may reasonably be used for educational decision making, specifically the items identified in 2(1) of the Student Record Regulation (AR 97/2019)
- Other Student Information: refers to information created and stored securely and **separately** from the student record and identified in the Records Retention Schedule. Examples include:
  - Psycho-educational, SLP, OT and Physiotherapy assessment instruments and protocols;
  - Notes and observations prepared for exclusive use of a teacher, counselor or Principal and not used in program placement decisions;
  - Religious documentation, such as baptismal certificates, used when working with a parish to facilitate religious development and/or services for students;
  - Information related to a report or investigation under the Child, Youth and Family Enhancement Act;

- Information that identifies a student as a person defined in the Youth Criminal Justice Act and all information relating to that student in that capacity;
- Specific counseling records related to a student that may be personal, sensitive or embarrassing to a student (unless the placement of the information in the Student Record would be deemed to be in the public interest or necessary to ensure the safety of student and staff);
- Field Trip forms, course selection and withdrawal information, fee payment history and other content identified as Student Information in Records Retention Schedule;
- Information of a sensitive nature, which in the opinion of the Superintendent would be injurious to the student if disclosed.

Assessment Instruments and Protocols refers specifically to psycho-educational SLP, OT, and Physiotherapy assessment instruments and protocols;

Personal Information shall refer to information about an identifiable individual including name, home address, telephone number, race, national or ethnic origin, colour, religion, political beliefs, associations, age, sex, marital status, family status, identifying numbers, fingerprints, blood type, health, and health care history.

Records Retention Schedule shall refer to a timetable that identifies the records of the Division, the action that triggers the closure of a record, the length of time a record is retained before disposition, and the final disposition of records (archives or destroy).

Staff shall refer to any employees, contractors, and consultants who are required to collect, access, use, store, retain, disclose, or dispose of Student Information.

Transitory Records have no enduring value to the Division, have no legal requirement for retention and have fulfilled their purpose. Examples include: a duplicate of a document filed, blank forms, draft documents and working materials, calculations and notes used in preparation of final versions, and external publications.

## **Procedures**

1. The Superintendent is the legal custodian of student information and may designate the creation, maintenance, transference and access to the content and, further, to coordinate the storage and secure destruction of records in accordance with endorsed procedures of the Division (Administrative Procedure 135 – Records and Information Management).
2. This administrative procedure applies to all student records and other student information received, generated, or used in the course of normal business operations.
3. The Principal of a school is responsible for:
  - 3.1. Ensuring reasonable efforts are made to obtain student records from the previous school for new students;
  - 3.2. Ensuring that a student record is created when one does not previously exist for a student;

- 3.3. Ensuring that staff within the school are familiar with how to appropriately access and use the information within the student record;
  - 3.4. Ensuring that roles exist within the school who are tasked with the responsibility of updating the Student Record as appropriate;
  - 3.5. Working collaboratively with other East Central Catholic Schools (ECCS) or with division office personnel, in situations where multiple departments or schools share responsibility for managing specific content types within a student record;
  - 3.6. Manage the processes by which Student Records are transferred to other schools.
4. Student Records shall be stored securely:
    - 4.1. Throughout the lifecycle of individual documents, student information is managed according to the principles outlined in the following Administrative Procedures:
      - Administrative Procedure 107 – Freedom of Information and Protection of Privacy
      - Administrative Procedure 135 – Records and Information Management
    - 4.2. The contents of the Student Record shall be digitized, or collected digitally, and the master copy shall be stored in PASI (Provincial Approach to Student Information), the Alberta Education digital record platform.
      - 4.2.1. Any school with a current enrollment associated with a student gains custodial access to the Student Record.
      - 4.2.2. Alberta Education themselves have direct custodial access to the student record, and are responsible for the technical implementation of the platform, including management of backups.
      - 4.2.3. The PASI Usage Agreement provides a minimum standard to which all schools need to comply in terms of maintaining security and ensuring appropriate access to the records contained within PASI. ECCS is responsible for ensuring that our internal process align with the requirements of this usage agreement.
      - 4.2.4. Once a document has been uploaded into PASI, any additional copies contained locally are considered transitory. The copy in PASI is considered the master copy of any given document.
      - 4.2.5. If a manual change or edit is made to any document, it is the responsibility of school staff under the direction of the Principal to ensure that the most recent information is uploaded to PASI.
  5. Persons contracted by the Board to conduct formal intellectual, behavioral or emotional assessments or evaluations shall be advised that their written reports shall form part of the student record and therefore be accessible for review to the student and/or his/her parent.

### **Disclosure of Student Records:**

6. Disclosure of student records may occur:

- 6.1. Where an employee or agent of the Division requires the information to better meet the educational needs of a student;
- 6.2. With the written permission of the parent/s if the student is less than sixteen (16) years of age;
- 6.3. With the written permission of the parent/s or student if the student is sixteen (16) years of age or older;
- 6.4. With the written permission of the Minister;
- 6.5. Where required by law pursuant to a court order, subpoena, warrant or other appropriate legal document;
- 6.6. In accordance with the Division's procedures for transfer of records, Section 14.

### **Review of Student Records:**

A student record may be reviewed in accordance with the following:

- 7. A parent of a student if the student is younger than sixteen (16) years old, by the student and parent if the student is sixteen (16) years of age or older, or by an independent student.
  - 7.1. An independent student may provide written consent for a parent or legal guardian to access the contents of the Student Record.
- 8. An individual who has access to the student by order made under the Divorce Act of Canada.
- 9. Where a student record contains psycho-educational information that has been provided by a person who has recognized expertise or training, the individuals referred in 6.1 and 6.2 above are entitled to review such information. This information will only be reviewed at a time when a person who is competent to explain and interpret the information is available.
- 10. If any information is challenged as being inaccurate or incomplete, the reviewer shall record the challenge or correction in the student record.
- 11. In the case of an unresolved dispute the Principal may refer the matter to the Superintendent.
- 12. The contents of a student record are not to be disclosed if an [Information Disclosure Restriction](#) is in place.
- 13. Unless a guardianship order is in place, parent's right of access to the student's information does not apply once a student is 18 years of age.

### **Transfer of Student Records:**

Upon receiving word that a student is leaving our division and is enrolling in a school elsewhere in the province, country, or world, we are required to transfer the contents of the student record to the school in question, and it is understood that in doing so we lose access to the contents of the student record.

14. Principals shall ensure that student records are provided to other schools in the event of a student transferring, in keeping with the *Student Record Regulation (97/2019)*, section 8.
  - 14.1. When a student transfers within Alberta, ensuring that documents have been properly uploaded to PASI satisfies this requirement.
  - 14.2. When a student transfers outside Alberta, school staff can use the Alberta Student Link process or other secure transfer processes to transfer a copy of the digital student record to the new school.
  - 14.3. School staff are required to take reasonable steps to confirm the identity of the person requesting the file and their relationship with the school requesting the file.

### **Retention of Records:**

15. Student Records are maintained in PASI and are subject to the retention procedures built into PASI.
  - 15.1. PASI will list documents eligible for disposal based upon the retention policies defined by Alberta Education. A representative from the Division will be designated to monitor the list and dispose of the documents that are eligible for disposal.
  - 15.2. Only those schools currently responsible for a student have full access to the digital student record. While individual schools may have access to specific documents they contributed to the record,
  - 15.3. No provision exists within PASI to prevent the deletion of a record upon the conclusion of its retention policy.
    - 15.3.1. In the event of a legal hold on a document or record, a copy of the record would be taken out of PASI and managed as a transitory record for the sole purpose of satisfying the requirements of that legal hold.
16. Other student information, created and stored separately from the student record as defined above, is subject to the individual retention policies defined in the Record Retention Schedule for those individual categories of record.
17. Assessment instruments and protocols should be stored securely and retained by the professionals who administer a given assessment according to the retention requirements by their profession.

## Review and Audit

18. Many forms of data are uploaded automatically to PASI at various times of the school year. This data may include (but is not limited to):
- 18.1. Registration information,
  - 18.2. Schools, grades, programs attended, levels of achievement/progress and attendance history;
  - 18.3. Relevant health information;
  - 18.4. Results of diagnostic tests, achievement tests and diploma examinations conducted by or on behalf of the Province;
  - 18.5. Standardized tests;
  - 18.6. Individual Support Plan;
  - 18.7. Medical Plans;
  - 18.8. Regulation Support Plans
19. Audit processes will be developed and utilized to ensure that the contents of student files are regularly reviewed.
20. An annual review of student record procedures will be carried out by the Superintendent or designate.

References:      *Section 9, 11, 18, 32, 33, 36, 37, 52, 53, 56, 68, 70, 197, 222 Education Act*  
                      *Student Record Regulation 97/2019*  
                      *Child Welfare Act*  
                      *Freedom of Information and Protection of Privacy Regulation 200/95*  
                      *Elk Island Catholic Schools Administrative Procedure 320.*

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