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| Policy Name            | <b>Student Record Policy</b> |
| Policy Number          |                              |
| Date Created           | <b>January 2025</b>          |
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**Policy name: STUDENT RECORDS POLICY**

**Rationale:**

A student records policy benefits students, parents, office staff, administrators and authorities by providing guidance for the collection of information and its storage, use, transfer, and protection. Legal and public expectations regarding the confidentiality, disclosure and transfer of school student records are increasing, as well as societal concerns regarding school record keeping and storage.

The School is committed to ensuring that student records are handled in accordance with all legal requirements. Furthermore, student records are stored in a manner that ensures preservation in cases of fire, theft, or disaster.

The purpose of this document is to define policy and to determine procedures for the collection of student information and its storage, use, disclosure, transfer, and protection.

**Policy:**

The School employees are expected to follow the school's procedures with regard to the collection, storage, protection, retention, access, disclosure, and transfer of student records.

**Definitions:**

*Eligible student* - means a student

- (a) who is of school age, and
- (b) whose parent or guardian
  - (i) is, or was at the time of that parent's, or guardian's death, a citizen of Canada, or a permanent resident, as defined in the Immigration and Refugee Protection Act (Canada), who is, or was at the time of the parent's, or guardian's death, ordinarily resident in British Columbia, or
  - (ii) is lawfully admitted to Canada and is ordinarily resident in British Columbia.

*Student record* – refers to a record of information in written or electronic form in respect of a student, but it does not include a record prepared by a person if that person is the only person with access to that record

*Permanent Student Record (PSR)* - is a specific subset of student records.

*Inclusions* – are documents (or copies of documents) used to plan or support a student's educational program. Not all students will have inclusions as part of their Permanent Student Record. Inclusions

**Procedures:**

The following procedures are provided to inform all parties who collect, store, use, disclose, transfer and protect student information.

The Principal will be responsible for:

- 1) The establishment, security, and maintenance of the Student Record and Student File (as defined in this policy) for each student registered in the school according to the procedures defined in this policy.
- 2) Ensuring that electronic copies of documents are stored on a server in a physically secure location. If information is accessed through the Internet, an encrypted connection (<https://>) must be established before authenticating. Access is restricted to those employees (such as designated records clerks, administration, teachers, and counselors) who, by the nature of their work, are required to have access; and
- 3) Ensuring that the school authority takes necessary precautions to safeguard against deprecated or obsolete forms of storage. The electronic storage of PSRs and other personal information requires the school authority to have an adequate backup plan and recovery strategy for potential hardware failure and database corruption.
- 4) Ensuring the security of student information off-campus. The personal information taken off-campus is to be safely stored and that personal information is protected.

OSG will:

- 1) Only collect, use or disclose personal information with the consent of the individual student or legal guardian, unless otherwise authorized under PIPA or required by law.
- 2) Only collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances and that fulfill the purposes disclosed by the school or are otherwise permitted under PIPA or required by law.
- 3) Secure Student Records and Student Files with access restricted to those individuals who, by the nature of their work, are required to have access to the information.
- 4) Provide access to personal information about an individual student to the individual student (if capable of exercising PIPA rights), and to a parent or legal guardian of the individual student during school hours and under the supervision of the lead administrator or designate.
- 5) Subject to legal requirements, ensure that personal information will be retained only for the period required to fulfill the purpose for which it was collected.
- 6) Inform parents that concerns, complaints, and questions about personal information handling policies and practices of the school authority may be directed to the school's Privacy Officer by calling the school office.

#### Part 1: Transferable Permanent Student Record

##### **A. Elements of the Student Record**

###### *Required Items*

- 1) The Permanent Student Record (PSR), as defined in the Students Records Order
  - a) Form (1704) is completed according to the current Permanent Student Record Instructions requirements; and
  - b) Copies of a minimum of the two most recent years of Student Progress Reports or an official transcript of grades.
- 2) All documents listed as inclusions on Form 1704
- 3) Form A, verifying the information about the student's parent or guardian in respect of students eligible for funding. All student records must contain a parent/guardian declaration of being lawfully admitted to Canada and normally residing in BC.
- 4) A copy of the student's current Student Support Plan, if any.

- 5) A copy of the student's current Individual Education Plan (IEP), if any.

**B. Permanent Student Record Inclusions**

*Required Inclusions*

The school is to ensure that the Medical/Legal Alert indicators have been flagged on either 1704 physical cards or on MyEd or the school's Student Information System.

In addition, for any student to whom these may apply, the following inclusions must be listed on Form 1704, including document date, title and expiry date or date rescinded (if applicable), and copies of the documents listed must be filed with the PSR:

- 1) Health Services information as indicated by the medical alert checkbox on Form 1704, such as diabetes, epilepsy, anaphylaxis producing allergies, and any other condition which may require emergency care; situations/conditions which may interfere with student performance, health, or behavior (hearing aids, prescribed medication, cerebral palsy, cystic fibrosis, etc.) - (red dot on file for medical information)
- 2) Court orders as indicated by the legal alert checkbox on Form 1704; or their rescinding date if applicable (green dot on file for legal information.)
- 3) Other legal documents, (e.g. name change or immigration documents);
- 4) Support services information (e.g. psychometric testing, speech and hearing tests, adjudication requirements for completing assessment activities)
- 5) Current IEP and/or Case Management Plan (CMP) where applicable; and
- 6) Notification of a student being homeschooled.

**C. Form 1704 Currency and Format**

Student eligibility information will be updated during student registration each year.

The Principal or designate will regularly review Student Records and Student Files to ensure that the information is current and complies with legal requirements.

Information is to be updated as it changes and as the student progresses through the grades. The Principal or designate is responsible for updating Permanent Student Record Form 1704 with its inclusions. A completed, current Form 1704 must be in every student's Permanent Student Record or the school must be able to produce it electronically or in print from its student data management system. The School records are to be updated at least annually.

Data for Form 1704 may be stored in electronic and/or paper format. If Form 1704 data are stored in electronic format:

- 1) the school must be capable of recreating the data in case of a system failure;
- 2) printouts must represent the same fields as on Form 1704.

**D. PSR Retention**

- 1) Student Records – Active Students
  - a) Original Student Records are to be locked in fireproof cabinets. All student records are to be scanned and digitized with backups stored off-site. Access is restricted to those employees (such as designated records clerks, administrators, teachers, and counselors) who, by the nature of their work, are required to have access.

- b) If a student withdraws from the school and enrolls in another K-12 educational institution, the school must, upon request from the enrolling K-12 educational institution, transfer the PSR (see Part 4 below). Optional student record items are not part of the transferable Permanent Student Record and may be returned to students, disposed of, or retained according to school policy.

2) Student Records – Inactive Students

- a) Unless another school requests a Student Record, the school will archive Student Records for 55 years after a student has withdrawn and not enrolled in another K-12 school or graduated from the school.
- b) The archived Student Records are stored digitally and in a manner that ensures their preservation from calamity (fire, flood, etc.) Access is limited to the lead administrator or designate. Furthermore, the school is required to protect personal information from unauthorized access, collection, use, disclosure, copying, modification, or disposal, or similar risks.
- c) The designated records clerk keeps a record of Student Records that are destroyed (shredded) after 55 years.

Part 2: Additional Student Record Items (not part of the Transferable Student Record)

Aside from the Permanent Student Record, there are additional items must (see below) or may be included in the school's student records as part of the Student File. These items include:

**A. Additional Items**

- 1) Student eligibility information (required):
  - a) The legal name of the child – verify the original and file a photocopy or scanned copy of a birth certificate or similar legitimate identification document;
  - b) Official name(s) of parent(s) or guardian(s) with home and work contact information; and:
  - c) Documentation verifying that parent/guardian is legally admitted to Canada and a resident of BC.
- 2) Information that is beneficial to collect (optional)
  - a) Student's Care Card number
  - b) Emergency contact numbers
  - c) Doctor's name and contact information
  - d) Allergies, medication and/or other health concerns (other than those required to be listed under the medical alerts rubric as tabulated in PART I)
  - e) Previous Student Progress Reports (other than the two most recent years required in the PSR)
  - f) Serious discipline reports (e.g. copies of letters to parents/guardians regarding discipline matters and corrective actions taken)
  - g) Reports of important meetings/discussions relating to the student
  - h) Standardized test scores, records of information that an educator deems relevant and important to the educational program of the student, and award information.

**B. Sensitive Student Information**

This may include information which by its nature requires that school staff observe a high level of confidentiality. Examples include:

- 1) Psychiatric reports;

- 2) Family assessments;
- 3) Referrals to or reports from school arranged counseling services; or
- 4) Record of a school-initiated report of alleged sexual or physical abuse made to a child protection social worker under section 14 of the Child, Family, and Community Service Act. **Such reports are strictly confidential and should be stored where only the Principal or persons authorized by the principal can access them.** Retention of such reports is important for the school to provide confirmation that the report has been made and for evidence purposes in the event that school staff members are subsequently called as witnesses in the child protection proceedings.

If sensitive information is placed in a student's or school record, the school is to consider the following handling procedures:

- a) store where only the Principal or persons authorized by the Principal can access such information;
- b) disclose or transfer only according to law;
- c) handle records of reports under section 14 of the Child, Family and Community Service Act, according to instructions in the previous section under "sensitive information".

### **Part 3: Access To and Disclosure of Student Records**

While disclosures may be made to parents/guardians regarding their children in accordance with PIPA, disclosures should not be made that would reveal private information about other students or individuals.

A student (capable of exercising PIPA rights) and parents/guardians of a student will be permitted (unless restricted by a court order) to:

- 1) Examine all student records kept by the School pertaining to that student, while accompanied by the principal or a person designated by the principal to interpret the records;
- 2) Receive a copy of the student's record. Under PIPA, students, parents or guardians have a right to view and receive copies of student records which include current and past report cards.

The school will not withhold report cards from students and parents as leverage to collect tuition arrears or for other purposes.

In addition to parents/guardians and students, access to student records will only be granted, upon assurance of confidentiality to:

- 1) professionals who are planning for, or delivering education, health, social or other support services to that student (**parental consent is not required for record access.**)
- 2) school authority's insurer to defend any claim/potential claim (consent for record access required).

This request must be made in writing with respect to disclosure of student record information in the circumstances articulated above and they must:

- 1) maintain privacy of the student and the student's family with respect to matters disclosed in the record;
- 2) not use or disclose the information in the student record except for the specific purposes for which the information is provided. If there is a legal situation between entitlements of the non-custodial parent or if there is serious conflict between the parents with respect to student record requests, then the school officials are to obtain legal advice from the school's legal counsel.

#### **Part 4: Transfer of Student Records**

1. On receipt of a request for student records from a school, a Board of Education, or an independent school authority from within British Columbia where the student is (or will be) enrolled, the school will transfer that student's PSR (including declared inclusions), the current Student Learning Plan (if any), and the current IEP (if any) to the requesting institution. The school will retain:
  - a) retain written record of all student record transfers, including the student's name, date of birth, name and address of receiving school and date of record transfer).
  - b) a copy of the PSR
  - c) a copy of any needed information for the Eligible Student (ES) Audit (i.e. the parent's/guardian's residency information, the student's attendance record), if the child left the school mid-year.
2. If the requesting institution is outside British Columbia, a photocopy of the PSR will be sent (including declared inclusions), along with the current Student Learning Plan (if any), and the current IEP (if any).
3. Requests for a student's record from a public school require that the public school administration provide a copy of the PSR (including declared inclusions) and current Student Learning Plan (if applicable) and IEP (if applicable) to the independent school authority. The original PSR is generally retained by the public school.
4. The school will only transfer sensitive, confidential information (e.g. psychiatric 10 assessments) after dated and signed parent/guardian consent has been obtained.
5. The school will not transfer a record of a Section 14 Child, Family and Community Service Act report of alleged sexual or physical abuse made to a child protection social worker.
6. A summary of a former student's school progress may be provided to prospective employers or others, only upon written request of the former student (or if underage their parent/guardian). The school reserves the right to assess a fee for this service.
7. A Student Record will be reviewed when a student transfers. The Principal or designate will ensure that the documents listed as inclusions are still required inclusions (eg. not expired or rescinded) or still deemed to be relevant and important to the educational program of the student. Expired, rescinded, or irrelevant inclusions will be removed from the Student Record and the documents themselves will be shredded.
8. If the school closes, the school authority is to take responsibility and provide for arrangements to ensure that PSRs are transferred to the receiving schools in which students will be enrolled to continue their education. In the event that a student is going to be homeschooled, the PSR is to be transferred to the school registering the child as homeschooler. Finally, only those PSRs which cannot be transferred by the school must be sent, within 60 days of the closure of the school, to the Ministry of Education.

