

Saskatchewan Rivers School Division No. 119 Policy Manual

Policy Name: Student Records: Access, Confidentiality and Preservation

Policy Type: Students

Number: 8110

Date Approved: November 28, 2005

Legal Reference: *The Archives Act; Freedom of Information Act*

The Board of Education believes that while it is imperative for confidentiality of student records to be maintained, there is a countervailing duty to provide reasonable access to student information when requested by individuals who have a legitimate right or need to know.

Guidelines:

1. Responsibility for controlling access, maintaining confidentiality and seeing to the proper preservation of student records rests with the principal.

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ADMINISTRATIVE PROCEDURES

1. Information contained in the permanent student record is to be readily accessible by current teachers, Special Education consultants and school administrators.
2. In all cases where access to the permanent student record is granted, access will be through the school principal responsible for the record. As well, a record of access including the name of the individual granted access, date and reason for access shall be made and kept in the permanent student record.
3. Students 18 years of age or older, and parents or guardians where a student is less than 18 years of age, shall be given the opportunity to review the permanent student record upon request to the principal responsible for the record provided one day's advance notice is given. In all cases, the review shall occur in the presence of a professional staff member.

Under the *Freedom of Information Act* the above individuals have the right to obtain a copy of the information.

4. Cumulative records may be stored at the school where the student last attended for a period of up to five years before being transferred to the Education Centre.
5. On an annual basis, cumulative records may be transferred to the Education Centre:
 - a) on or about the last day of school in June, or
 - b) on or about the last day of school in December.
6. When students transfer to another school within the Division or other school jurisdictions, the permanent student records are to be transferred to that jurisdiction upon request by the receiving school.
7. When cumulative records are transferred to another school or jurisdiction, the principal shall ensure that the record contains only educationally relevant material.
8. When a new student arrives from an external jurisdiction, the principal is to forthwith request the cumulative records from the last school attended by the student.

9. Release of information contained in the permanent student record to third parties, including registrars of post-secondary educational institutions, external organizations and employers, is strictly prohibited, unless written authorization for information is obtained from the parents, guardians or student where the student is eighteen years of age or older. All letters of authorization for release of information shall be retained in the permanent student record. A list of such information shall also be retained.
10. Agencies with a legal mandate that require access to student records, regardless of parental/guardian approval (Health, Justice, Social Services, Public Health, Shared Services, etc.) shall be granted access provided that a written request is made which includes the legal basis for claiming access. If there is any doubt about the validity of the claim, administrators shall obtain legal advice before proceeding with the request.
11. Access to Education Support Services (Special Education) files shall be determined by the Superintendent responsible for Special Education, recognizing that there is a parental right of access to such material under the *Freedom of Information Act*.

Should the Superintendent determine that the release of specific items in the file could cause harm to individuals involved, such information may be withheld but is subject to a parental appeal to the Privacy Commissioner.

12. Documents to be retained:
 - a) school registers - permanently, at the Education Centre;
 - b) record of marks - retention for a minimum of 12 years after a student completes school or leaves the school division. For this purpose, "record of pupils' marks can be interpreted more broadly to include documentation relating to assessment, evaluation, or progress of a student at the Education Centre;
 - c) cumulative records – up to five years after the student leaves the school, at the school, then to the Education Centre for a minimum of another five years;
 - d) anecdotal information and family data - minimum of five years after the student leaves the school, at the school and/or the Education Centre (see "c" above).
13. Access to documents stored at the Education Centre shall be through the designated Superintendent as per the terms and conditions of this policy.
14. By June 30 of each year, principals shall forward school registers and records of marks to the designated Superintendent.