

SD 42 PROCEDURE: 9705.1

STUDENT RECORDS

1. DEFINITION

1.1 Under the *School Act* a "student record" is a record of information in written or electronic form maintained by the Board and pertaining to a student or a child registered at a Board school, but does not include a record prepared by a person if that person is the only person who will have access to the record.

1.2 Student records shall include the "Permanent Student Record" and the "Student File" as defined by the Ministry of Education, and records from the student information system, health service information, support service information, court orders and custody information, legal documents such as name change or immigration records, student learning plan and individual education plan, any notification that a student is registered as receiving home schooling.

2. RESPONSIBILITY

2.1 School Principals are responsible for the establishment, security and maintenance of the Permanent Student Record and student files for each student registered in their school, and for ensuring that these and other student records are appropriately maintained within the context of Board Policy and Procedures.

3. ACCESS TO STUDENT RECORDS

3.1 Access to student records shall take place in accordance with the School Act, the Freedom of Information and Protection of Privacy Act and other applicable legislation.

3.2 Prior to access being granted to any student records, the records shall be reviewed by the School Principal or designate to ensure that there is no personal information of third parties contained in the records, and, if so, such information shall be removed or redacted in compliance with the *Freedom of Information and Protection of Privacy Act*.

3.3 Parents or guardians of school aged students have the right to access their child's student record in accordance with the provisions of the *School Act*, and such access may take place with or without the student present and in consultation with appropriate professional staff.

3.4 All or a portion of a student's record may be disclosed to a person who is planning for the delivery of, or delivering, health services, social services or other support services to the student if disclosure is necessary for such services, including to the Ministry of Children and Family Development, Ministry of Health or the Attorney General upon receiving a written request.

3.5 Student records may be released to the School Protection Program or legal counsel for the School District to defend any claims or potential claims. Where persons represent themselves as acting on behalf of the Schools Protection Program, their identity can be confirmed by contacting the Secretary Treasurer or designate who coordinates responses to claims and potential claims.

3.6 A summary of a student's school progress may be provided to prospective employers at the written request of the former student.

3.7 Documentation will be kept in the student's record of any person reading the file other than parent/guardian, student, school or School District officials.

3.8 Requests that do not fall within section 3.2 – 3.6 or requests for records not comprising part of the student record are to be directed to the Secretary Treasurer or designate and will be processed in accordance with Part 2 of the *Freedom of Information and Protection of Privacy Act*.

3.9 Student records are not released to third parties except with consent from the student or, as applicable, their parent guardian or as permitted or required by the *School Act* or the *Freedom of Information and Protection of Privacy Act* or other applicable laws.

4. TRANSFER OF RECORDS

4.1 When a student transfers to another school district, independent school or educational institution outside of the Province, the School District is required to transfer specified student records to the new school in accordance with the *School Act*.

4.2 The original student record for a transferring student will be forwarded directly to the British Columbia public school including: British Columbia Distance Education Schools, British Columbia Francophone Education Authority Schools, Provincial Resource Programs, Containment Centres, and British Columbia Alternate Schools to which a student transfers, in receipt of written confirmation that the student has enrolled in such school.

4.2 Where a transfer is to a public school outside the province or to an independent school, copies of records are to be forwarded on written confirmation of enrolment. Both the original permanent record card and a log book/tracking system are to be maintained at the school.

4.3 A log book/tracking system shall be maintained at each school for the purpose of recording all student record transfers. The log book will contain the date of transfer, the student name, date of birth, PEN and destination. The logs shall be retained for a period of 75 years from date of birth.

4.4 Any student records in paper form shall be transferred in a sealed, envelope or box, marked "Confidential", addressed to the School Principal.

4.5 Any student records in electronic form shall be transferred using a secure encrypted method, and may be not be transferred by email or via any unsecured network.

5. RETENTION

5.1 The Permanent Record Card and selective information shall be contained in the student record and be retained by the school district when a student withdraws from school or graduates.

5.2 All general information (ie. internal reports, teacher comments, referrals etc.) maintained about a student must be kept until the student reaches the age of twenty-two (22) years.

5.3 Graduated Students – The Permanent Record Card and Official Student Transcript shall be filed by graduation year, alphabetically and shall be kept for fifty-five (55) years after the date of graduation.

5.4 Withdrawn Students – When a student withdraws from the system, report cards for the last two (2) years shall be kept with the Permanent Record Card. The student record shall be filed by birth year, alphabetically and be retained for fifty-five (55) years after the student would normally have graduated.

5.5 Any debt owing information shall be kept with the Permanent Record Card/Official Student Transcript until cleared, or until the student reaches the age of twenty-two (22) years.

6. DESTRUCTION OF STUDENT RECORDS

The destruction of student records shall be undertaken securely and in accordance with the School District's record retention policy.

6.1 When student records are destroyed or transferred off site for destruction, a Certificate of Destruction itemizing all records destroyed must be filed with the Secretary Treasurer or designate.

6.2 Excluding information referenced in section 5.3 and 5.4, general information held in a student general file may be destroyed on January 1st of each year, if the student's date of birth is 22 years prior.

Example: On January 1, 2018, student general files for students that were born in 1995 may be destroyed.

Reference Resources:

School Act, Section 79 – Province of British Columbia

Permanent Student Record Order – BC Ministry of Education

Permanent Student Record Instructions – BC Ministry of Education

Freedom of Information and Protection of Privacy Act – Province of British Columbia

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