SD42 PROCEDURE 9705

STUDENT RECORDS

PURPOSE

The purpose of this procedure is to establish requirements for the creation, maintenance, access, use, disclosure, transfer, retention, and disposal of student records in accordance with the *School Act*, the *Freedom of Information and Protection of Privacy Act* (FIPPA), applicable ministerial orders, and other legislative requirements.

This procedure is intended to ensure that student records are accurate, appropriately protected, securely maintained, and accessed, used, and disclosed only as authorized.

GUIDING PRINCIPLES

- Student records contain sensitive personal information and must be managed in a manner that protects the privacy and confidentiality of students.
- Student records will be created, maintained, accessed, used, disclosed, transferred, retained, and disposed of in accordance with applicable legislation, ministerial orders, and district requirements.
- Access to student records will be provided to students, parents/guardians, and other authorized individuals or service providers in accordance with applicable legislation and this procedure.
- Reasonable safeguards will be maintained to protect student records from unauthorized access, use, disclosure, loss, or disposal.

DEFINITION

Under the *School Act a* "student record" is a record of information in written or electronic form maintained by the Board that pertains to a student or a child registered at a Board school. It does not include records prepared by an individual for their own use where no one else will have access to the record.

Student records include the "Permanent Student Record" and the "Student File" as defined by the Ministry of Education and Child Care, 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.

RESPONSIBILITY

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 ensuring that these and other student records are appropriately maintained within the context of Board Policy and Procedures.

ACCESS TO STUDENT RECORDS

1. Access to student records shall take place in accordance with the *School Act*, the *Freedom of Information and Protection of Privacy Act* (FIPPA), and other applicable legislation.
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 FIPPA.
3. Parents/guardians of school aged students have the right to access their child's student records 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.
4. All or a portion of a student's records 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.
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. Such requests should be directed to the Secretary Treasurer or designate, who can confirm their authority for the request.
6. A summary of a student's school progress may be provided to prospective employers at the written request of the former student.
7. Documentation will be kept in the student's records of any person reading the file other than the parent/guardian, the student, school or School District officials.
8. Requests that do not fall within sections 2 to 6 or requests for records not comprising part of the student record are to be directed to the Superintendent or designate and will be processed in accordance with Part 2 of FIPPA.
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 FIPPA or other applicable laws.

TRANSFER OF RECORDS

1. When a student transfers to another British Columbia (BC) school district, the School District is required to transfer specified student records to the new school in accordance with the *School Act*.

   The original student records 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.
2. Where a transfer is to a school outside the province or to a BC 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.

3. A log-book/tracking system shall be maintained at each school and the District Education Office – Student Records Department 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. Any student records in paper form shall be transferred in a sealed, envelope or box, marked "Confidential", addressed to the receiving School Principal.
5. Any student records in electronic form shall be transferred using a secure encrypted method and may not be transferred by email or via any unsecured network.

RETENTION

1. 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.
2. 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 a student has withdrawn or graduated from school.
3. All general information (i.e. internal reports, teacher comments, referrals etc.) maintained about a student must be kept until the student reaches the age of twenty-two (22) years.

DESTRUCTION OF STUDENT RECORDS

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

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 Superintendent or designate.
2. Excluding information referenced above under Retention sections 1. and 2., 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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