

STUDENT RECORD

Background:

Elk Island Public Schools (EIPS) is committed to ensuring accurate information about students is maintained as defined by the Student Record Regulation.

The purpose of this Administrative Procedure is to ensure:

1. The integrity, authenticity and reliability of student records is maintained.
2. All student records are managed consistently and securely throughout their life cycle.

Definitions:

Access:

is a person's ability to view or copy records.

Independent Student:

means a student who is:

- 18 years of age or older, or
- 16 years of age or older, and
 - living independently as determined by the Board, or
 - a party to an agreement under the *Child, Youth and Family Enhancement Act*.

An Independent Student is entitled to exercise all the rights and powers, receive all the benefits and is subject to all the obligations the student's parent/guardian is entitled to exercise, receive or is subject to, and the student's parent/guardian shall not exercise those rights, receive those benefits or be subject to those obligations.

Personal Information:

is 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.

Record:

is information in any recorded form. This includes documents, notes, images, audiovisual recordings, emails, text messages, correspondence, completed forms, meeting minutes, agendas, policies, computer data files, drawings, student records, school calendars and any other information that is written, photographed, recorded or stored in any manner.

Records Retention Schedule:

is 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:

are employees, contractors and consultants who are required to collect, access, use, store, retain, disclose or dispose of the student record.

Student Information System (SIS):

is a computer application that contains information such as academic achievement, attendance, student services supports, student demographic, incident management and student schedules.

Student Record:

is the official and permanent cumulative student record that contains all information affecting the decisions made about the education of the student enrolled within the Division, as defined by the Student Record Regulation.

Procedures:

1. The Superintendent and/or designate, as the legal custodian of student records, is authorized to create, maintain, transfer and allow access to the student record and is authorized to co-ordinate the storage and destruction of student records in accordance with the [Records Retention Schedule](#) (Appendix 185-A) and associated administrative procedures.
2. This Administrative Procedure applies to the collection, access, use, storage, retention, disclosure and disposal of all student records including records stored in electronic repositories.
3. This Administrative Procedure applies to all student records received, generated or used in the course of normal business operations.
4. Principals are responsible for maintaining records for each student registered in the Division.
5. The school or location with primary responsibility for the student record is the school the student is primarily enrolled at for the majority of their instructional time during the school year.
 - 5.1. Principals will ensure each student enrolled has a student record. This record will be obtained from the previous school, or created if no student record exists.
 - 5.2. Principals are responsible for the overall management of student records in accordance with the Student Record Regulation and associated administrative procedures. Responsibilities include but are not limited to:
 - 5.2.1. Ensuring all student records are securely stored and managed through their life cycle, including their disposition.
 - 5.2.2. Ensuring all required documents and information are kept within the student record according to the Student Record Regulation and associated administrative procedures:
 - 5.2.2.1. [AP 161: Communicable Diseases](#)
 - 5.2.2.2. [AP 180: Freedom of Information](#)
 - 5.2.2.3. [AP 185: Records Management](#)
 - 5.2.2.4. [AP 206: Human Sexuality Program](#)
 - 5.2.2.5. [AP 211: English as a Second Language \(ESL\)](#)

- 5.2.2.6. [AP 240: Guidance and Counselling](#)
- 5.2.2.7. [AP 260: Field Trips](#)
- 5.2.2.8. [AP 303: Independent Students](#)
- 5.2.2.9. [AP 304: Student Registration](#)
- 5.2.2.10. [AP 316: Medication/Personal Care](#)
- 5.2.2.11. [AP 330: Student Attendance](#)
- 5.2.2.12. [AP 362: Specialized Assessment](#)
- 5.2.3. Managing the transfer of the student record to other schools.
- 5.2.4. Assisting staff, students and parents or guardians in the interpretation of data.
- 5.2.5. Providing access to student records to authorized personnel in accordance with the Student Record Regulation and the *Freedom of Information and Protection of Privacy Act*.
- 6. The Division and its staff, including temporary or contract staff, shall treat student records as confidential.
 - 6.1. Information in the student record may only be disclosed in accordance with the Student Record Regulation, the *Education Act*, the *Children First Act* and the *Freedom of Information and Protection of Privacy Act*.
- 7. Parents/guardians and students are entitled to review the student record.
- 8. Parents/guardians and students may appeal the accuracy or completeness of student records.
- 9. Student records must contain, as per Student Record Regulation, all information affecting the decisions made about the education of the student that is collected or maintained by a jurisdiction, regardless of the manner in which it is maintained or stored, including:
 - 9.1. The student's name as registered under the *Vital Statistics Act* or, if the student was born in a jurisdiction outside Alberta, the student's name as registered in that jurisdiction, and any other surnames by which the student is known.
 - 9.2. The student identification number assigned to the student by the Minister of Education and any student identification number assigned to the student by a jurisdiction.
 - 9.3. The name of the student's parent.
 - 9.4. A copy of documents showing limits on the guardianship of the student.
 - 9.5. The birth date of the student.
 - 9.6. The gender of the student.
 - 9.7. The addresses, email addresses and telephone numbers of the student and of the student's parent.
 - 9.8. The jurisdiction to which the student is a resident student.
 - 9.9. The citizenship of the student and, if the student is not a Canadian citizen, the type of visa or other document pursuant to which the student is lawfully admitted to Canada for permanent or temporary residence, and the expiry date of that visa or other document.
 - 9.10. The names of all schools attended by the student in Alberta and the dates of enrolment if known.

- 9.11. An annual summary or a summary at the end of each semester of the student's achievement or progress in the courses and programs in which the student is enrolled.
- 9.12. The results obtained by the student on any:
 - 9.12.1. Achievement test and diploma examination conducted by or on behalf of the Province,
 - 9.12.2. Diagnostic test administered by the Division, and
 - 9.12.3. Standardized tests, under any testing program administered by the Division, to all or a large portion of the students or to a specific grade level of students.
- 9.13. Any accommodation or exemption in respect of a provincial assessment under a program established by the Minister.
- 9.14. In relation to any formal intellectual, behavioural or emotional assessment or evaluation administered individually to the student by the jurisdiction:
 - 9.14.1. The name of the assessment or evaluation,
 - 9.14.2. A summary of the results of the assessment or evaluation,
 - 9.14.3. The date of the assessment or evaluation,
 - 9.14.4. The name of the individual who administered the assessment or evaluation,
 - 9.14.5. Any interpretive report relating to the assessment or evaluation, and
 - 9.14.6. Any action taken as program planning as a result of the assessment, evaluation or interpretive report.
- 9.15. In relation to any independent formal intellectual, behavioural or emotional assessment or evaluation requested by the student's parent and administered to the student by an independent party.
 - 9.15.1. The name of the assessment or evaluation,
 - 9.15.2. A summary of the results of the assessment or evaluation,
 - 9.15.3. The date of the assessment or evaluation,
 - 9.15.4. The name of the individual who administered the assessment or evaluation,
 - 9.15.5. Any interpretive report relating to the assessment or evaluation, and
 - 9.15.6. Any action taken as program planning as a result of the assessment, evaluation or interpretive report.
- 9.16. Any health information the parent of the student or the student wishes to be placed on the student record.
- 9.17. An annual summary of the student's school attendance.
- 9.18. Information about any suspension of more than one day or expulsion relating to the student or the student's rights pursuant to the *Education Act*, which must be recorded and retained on the student record for three years following the date of the suspension or expulsion, after which the information must be removed from the student record.
- 9.19. If the parent of the student is eligible to have the student taught in the French language, pursuant to section 23 of the Canadian Charter of Rights and Freedoms,

- a notation to indicate whether the parent wishes to exercise that right or not must be recorded in the student record.
- 9.20. If the parent of the student or the student wishes to provide information that the student is of aboriginal ancestry, a notation indicating whether the student is Status Indian/First Nations, Non-status Indian/First Nations, Métis or Inuit.
10. The Division may include in a student record any information referred to in section 13.1.3 where inclusion of the information in the student record would, in the Division's opinion, be:
- 10.1. In the public interest, or
 - 10.2. Necessary to ensure the safety of students and staff.
11. If an individual program plan is specifically devised for a student, the plan and any amendments to the plan must be placed on the student record in addition to summaries of all of the previous school years' individualized program plans.
12. The Division may require:
- 12.1. The information referred to in section 9 be provided to the Division by means of a copy, acceptable to the Division, of:
 - 12.1.1. The student's birth certificate, if the student was born in Canada, or
 - 12.1.2. Another official document acceptable to the Division, if the student was born outside Canada, and
 - 12.2. The information referred to in section 9.9 be provided to the Division by means of a copy, acceptable to the Division, of the Canadian citizenship certificate or of the visa or other document.
 - 12.3. Relative to the birth certificate referred to in section 12.1.1:
 - 12.3.1. In the event the parent or guardian does not provide a copy of a birth certificate with the student registration, at least one reminder shall be sent to the parent or guardian in the form of a written [Initial Letter Requesting Copy of Birth Certificate](#) (Form 320-2).
 - 12.3.2. In the event the parent or guardian is unable to produce a birth certificate, a [Temporary Declaration of Legal Name and Age](#) (Form 320-1) shall be completed.
 - 12.3.3. The timelines of the Temporary Declaration shall be adhered to. If there is non-compliance, at least one reminder shall be sent to the parent or guardian in the form of a written [Followup Letter Requesting Copy of Birth Certificate](#) (Form 320-4).
 - 12.3.4. This correspondence shall be kept in the student record.
 - 12.3.5. In the event the parent or guardian chooses to not allow a copy of the birth certificate to remain on file in the student record, a [Verification of Legal Name and Age](#) (Form 320-3) shall be completed by the Principal.
 - 12.4. Relative to the documentation referred to in sections 12.1.2 and 12.2:
 - 12.4.1. In the event the parent or guardian does not provide the necessary legal documentation with the student registration, at least one reminder shall be sent to the parent or guardian in the form of a written [Initial Letter Requesting Legal Documents](#) (Form 320-5).

12.4.2. In the event the parent or guardian does not provide an updated copy of a legal document when it expires, at least one reminder shall be sent to the parent or guardian in the form of a written [Followup Letter Requesting Updated Legal Documents](#) (Form 320-6).

13. Student records must not contain, as per the Student Record Regulation:

13.1. Any information contained in:

13.1.1. Notes and observations prepared by and for the exclusive use of a teacher, teacher's assistant, counsellor or Principal, and that are not used in program placement decisions,

13.1.2. A report or an investigation record relating to the student under the Child, Youth and Family Enhancement Act, or

13.1.3. Counselling records relating to the student that are or may be personal, sensitive or embarrassing to the student, unless section 10 applies, or

13.2. Any information that identifies a student as a young person as defined in the *Youth Justice Act* or the *Youth Criminal Justice Act (Canada)* and all information relating to the student in that capacity.

14. Exclusions

14.1. The Division may exclude from a student record a test instrument, or any part of it, but where there is an appeal before the Board in respect of a test, a test result or an evaluation of a student in respect of a test or a test result, the persons referred to in the *Education Act* may review a test instrument as if it were part of the student record.

15. Retention of a Student Record

15.1. The Division manages the content of a student record based on the approved [Records Retention Schedule](#) (Appendix 185-A). Once a student ceases to attend a school operated by the Division, the student record is retained for seven years. The Division may retain the record longer if authorized by the Board.

15.2. If a student transfers to a school outside the Division but within Alberta, the complete student record is transferred to the receiving school as outlined in section 16.4 and nothing is retained by the Division.

15.3. If a student transfers to a school outside Alberta, the Division keeps the student record containing the information referred to in sections 9 through 11 for a period of seven years after the date the student would have been expected to have completed Grade 12 had the student not transferred from the school.

15.4. Other student information collections are retained to support programs and services provided to students. These records are managed following the retention requirements set out in the [Records Retention Schedule](#) (Appendix 185-A).

16. Transfer of Student Records

16.1. Student records are actively maintained and managed for the duration of the student's attendance in the Division.

16.2. At the conclusion of each school year, schools transfer student records to the appropriate next level school within the Division, if required. Any disciplinary content is reviewed and managed based on the provisions described in section 9.18.

- 16.3. During the school year, a receiving school within the Division may make a written request for records of transferring students. The sending school may also initiate the record transfer.
 - 16.4. When a student transfers to another school in Alberta, the Division, upon receipt of a written request from that school, sends the original student record to that school.
 - 16.5. When a student transfers to a school outside Alberta, the Division upon receipt of a written request from that school, sends a copy of the student record containing the information to that school.
 - 16.5.1. Records of transfer requests received from outside of Alberta are added to the student record prior to the copy being made to send to the receiving school.
 - 16.6. For any student enrolled at a school on September 30, schools keep at a minimum, a copy of the birth certificate, the New Student Registration Form and the attendance records from the registration date to the student's exit date. These records are retained for a minimum of one year to substantiate funding claims from Alberta Education.
17. Access to Student Record
- 17.1. Access to a student record is granted in accordance with the Student Record Regulation, the *Education Act*, the *Children First Act* and the *Freedom of Information and Protection of Privacy Act*.
 - 17.2. Access to a student record is only provided:
 - 17.2.1. To a staff member of Elk Island Public Schools; or
 - 17.2.2. At the request of the Minister for the performance of the duties of the Minister or other Regulation; or
 - 17.2.3. To the parent/guardian or an independent student who has completed a [Request to Access Information form](#) under the *Freedom of Information and Protection of Privacy Act* or made a request in writing to view or receive a copy of the student record. Unless a guardianship order is in place, a parent/guardian's right of access to the student's information does not apply once a student is 18 years of age.
 - 17.3. Requests must include the student's name and a description of the records requested. Descriptions may include date ranges, programs or services names, Division or school names, types of assessments and specific records or topics.
 - 17.4. When other individuals or agencies request a copy or a part of a student record, the request must be accompanied by a written authorization to release the information with the consent of the parent if the student is under 16 years of age, or the student or parent if the student is 16 years of age or older, or as a result of a transfer under section 16. The authorization shall include the name of the individual(s) or agency(ies) authorized to receive the information.
 - 17.5. Information contained in a student record shall be disclosed to the Department of Justice of the Government of Alberta or to its designate when requested for the purpose of administering the *Youth Justice Act* or the *Youth Criminal Justice Act (Canada)* or carrying out any program or policy under either Act.

- 17.6. The following information shall be disclosed to the Medical Officer of Health, or designate, as defined in the *Public Health Act* for the purpose of contacting parents or guardians regarding voluntary health programs offered by the regional health authority, including immunization, hearing, vision, speech and dental health programs, and for the purpose of communicable disease control:
 - 17.6.1. a student's name, address, date of birth, gender and school, and
 - 17.6.2. the name, address and telephone number of the student's parent or guardian.
- 17.7. The Division shall, at the written request of a Regional Authority for a Francophone Education Region, disclose
 - 17.7.1. the name, address, date of birth, gender and school of a student whose parent has been noted under section 9.19 as being eligible to have the student taught in the French language pursuant to section 23 of the Canadian Charter of Rights and Freedoms, and
 - 17.7.2. the name, address and telephone number of the student's parent for the purpose of contacting the parent of the student and advocating for minority language education rights.
- 17.8. The Division, if supervising a home education program for a student, shall notify the student's resident board of the name, address, date of birth, gender, school and the name, address and telephone number of the student's parent to ensure the resident board is aware the student is attending a school.
- 17.9. Persons who are permitted to examine the student record must be provided with an explanation of the contents (when necessary). This situation is particularly a concern when documents relate to testing or test results. In such cases, an employee of the Division with recognized expertise will be made available.
- 17.10. The Division's FOIP Co-ordinator maintains a file of access inquiries based on established procedures for records management.
- 17.11. Requests for disclosure and adjustments to student records are only in accordance with the *Freedom of Information and Protection of Privacy Act*. These may relate to correction of content, removal of documents or the addition of documents. The Principal, after consultation with the FOIP Co-ordinator, will make appropriate decisions aligned with the Student Record Regulation and the *Freedom of Information and Protection of Privacy Act*. Appeals may be made to the Associate Superintendent of Supports for Students.

Reference:

Section 56 *Education Act*
Student Records Regulation
Student Evaluation Regulation
Children First Act
Child, Youth and Family Enhancement Act
Freedom of Information and Protection of Privacy Act
Freedom of Information and Protection of Privacy Regulation
Public Health Act

Criminal Justice Act
Vital Statistics Act
Alberta Limitations Act
Section 23 Canadian Charter of Rights and Freedoms
Youth Justice Act
Youth Criminal Justice Act (Canada)