STUDENT SERVICES 5 – Student Records Management

Date: May 16, 2009 Revised: Nov. 23, 2015 Responsible Administrator: Assoc. Superintendent, Education Services

1.0 RATIONALE

1.1 The School Act directs that the board ensure that a system of recording information is in place for each student enrolled in its schools.

1.2 A student record portfolio shall be established and maintained at the highest standard of integrity. It must be treated as confidential to the student, the parent or the legal guardian, and to the School Division staff, and shall be used to promote the educational welfare of students.

2.0 PROCESS

The Associate Superintendent Education Services is responsible for maintaining this Administrative Practice.

3.0 GUIDELINES

3.1 For the purpose of this Administrative Practice:

3.1.1 An *independent* student means a student who is:

3.1.1.1 18 years of age or older; or

3.1.1.2 16 years of age or older; and

3.1.1.2.1 who is living independently or,

3.1.1.2.2 who is party to an agreement under the Child, Youth and Family Enhancement Act (Section 57.2 of CYFE Act).

3.1.2 *Parent or guardian* means:

3.1.2.1 the biological parent or, if the student is an adopted child, the adopted parent;

3.1.2.2 notwithstanding Subsection 3.1.2.1, if the student's biological or adopted parent resided in Alberta and has changed their residence so it is outside Alberta or unknown, the individual who has care and custody of the student as a result of this change;

References:
Board Policy *D/I/3 Security of Personal and Division Information*
E/IV/1 Personnel Records
F/III/1 Student Records Management
Board Regulation: Administration 1, Security of Personal and Division Information
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3.1.2.3 notwithstanding Subsection 3.1.2.1 and 3.1.2.2, the individual who has custody of the student under:

3.1.2.3.1 a court order; or

3.1.2.4 notwithstanding Subsection 3.1.2.1 and 3.1.2.2, the guardian of the student appointed under, if the guardian notifies the Board in writing of his appointment:

3.1.2.4.1 a temporary or permanent guardianship order under the Child, Youth and Family Enhancement Act;

3.1.1.4.2 a written agreement made pursuant to the Family Law Act or the Child, Youth and Family Enhancement Act, or

3.1.1.4.3 an order of a court.

3.1.2.5 notwithstanding Subsection 3.1.2.1 and 3.1.2.2, the Minister of Justice and Attorney General, if the student is in custody under the *Corrections Act*, the *Corrections and Conditional Release Act (Canada)*, the *Young Offenders Act*, or the *Young Offenders Act (Canada)*.

3.2 *Student* means an individual who is:

3.2.1 enrolled in a school or structured learning environment operated or offered by the Sturgeon School Division; or

3.2.2 is required by the School Act to attend school.

3.3 *Student record* refers to the Student Cumulative Record.

3.4 Administration of Security

3.4.1 The Associate Superintendent of Education Services is responsible for record maintenance, security and access to student records at the system level.

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3.4.2 The school principal is responsible for record maintenance, security and access to student records at the school level.

3.4.3 All reasonable efforts must be taken to ensure that student records and confidential records are kept secure and confidential.

3.4.4 Files and other paper records must be kept in locked containers or in rooms that are not freely accessible to those who have neither a custodial responsibility nor a requirement for the performance of their duties.

3.4.5 Electronic student records must be protected through the use of access controls, including security levels, passwords, and other controls and procedures established by the Associate Superintendent of Education Services and school principals or their designate.

3.5 Types of Records

3.5.1 Student Cumulative Record

3.5.1.1 A record is maintained for each student in the school in which that student is enrolled. It shall contain all information that is directly useful in facilitating the student's education and shall contain all information required in Alberta Student Record Regulation.

3.5.1.2 The school principal or designate is responsible for establishing a student record for each student upon the student's initial registration at Sturgeon School Division.

3.5.1.3 The school principal or designate is responsible for updating student records annually.

3.5.2 Confidential Record

3.5.2.1 A Confidential Record is a record kept separate from the Student Cumulative Record and it contains information of a sensitive nature, the disclosure of which, in the opinion of the Board, would clearly be injurious to the student.

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3.5.2.2 Professional staff may keep confidential records as required. The Student Cumulative Record will indicate the existence of a Confidential Record. Each page of the reports or materials placed in confidential files shall be stamped as "Confidential".

3.5.3 Professional Record

3.5.3.1 A Professional Record is a personal record which may be kept by any educational professional employed by the Board.

3.5.3.2 Records maintained by professional personnel for their personal use do not form part of the standard record and must be destroyed when no longer of professional use.

3.6 Content of Student Records

3.6.1 The student record of a student must contain all information affecting the decisions made about the education of the student including:

3.6.1.1 the student's legal 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.

3.6.1.2 legal changes of name which have been made through legal procedures, together with copies of validating documents supported by a copy of an affidavit or other legal document.

3.6.1.3 other given names and surnames which the student may be known by, including "also known as" names.

3.6.1.4 the student identification number assigned to the student by the Minister and any student identification number assigned to the student by Sturgeon School Division.

3.6.1.5 the name of the student's parents/guardians.

3.6.1.6 a copy of any separation agreement or court order respecting access to the student.

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3.6.1.7 the birth date of the student.

3.6.1.8 the gender of the student.

3.6.1.9 the address and telephone numbers of the student and of the student's parents/guardians.

3.6.1.10 the board of which the student is a resident student.

3.6.1.11 the citizenship of the student and, if the student is not a Canadian citizen, the type of visa or other document which lawfully admits the student to Canada for permanent or temporary residence, and the expiry date of that visa or other document.

3.6.1.12 the names of all schools attended by the student in Alberta and the dates of enrolment, if known.

3.6.1.13 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.

3.6.1.14 the results obtained by the student in any:

3.6.1.14.1 diagnostic test, achievement test and diploma examination conducted by or on behalf of the Province; and

3.6.1.14.2 standardized tests under any testing program administered by Sturgeon School Division to all or a large portion of the students or to a specific grade level of students.

3.6.1.15 the results of any application under the *Student Evaluation Regulation* for special provisions or directives,

3.6.1.16 either

3.6.1.16.1 the name of any formal intellectual, behavioural or emotional assessment or evaluation administered individually to the student by Sturgeon School

Division, a summary of the results of the assessment or evaluation, the date of the assessment or evaluation and the name of the person who administered the assessment or evaluation; or

3.6.1.16.2 any interpretive report relating to the student; and any action taken as program planning as a result of the assessment, evaluation or interpreted report.

3.6.1.17 Any assessment or evaluation referred to in Subsection 3.6.1.16.1 or any interpretive report referred to in Subsection 3.6.1.16.2 that the parent of the student or the student wishes to be placed on the student record.

3.6.1.18 any health information that the parent of the student or the student wishes to be placed on the student record.

3.6.1.19 an annual summary of the student's school attendance.

3.6.1.20 information about any suspension or expulsion relating to the student's rights under the School Act, which must be retained on the student record;

3.6.1.20.1 for one year following the date of the suspension or expulsion, or

3.6.1.20.2 until June 30 of the year following the year in which the suspension or expulsion occurred, whichever occurs last.

3.6.1.20.3 if the parent of the student is eligible to have the student taught in the French language under the *Canadian Charter of Rights and Freedoms*, a notation to indicate that and a notation to indicate whether the parent wishes to exercise that right.

3.6.1.21 if an individualized program plan is specifically devised for a student, the plan and any amendments to the plan must be placed on the student record of that student.

3.6.2 Sturgeon School Division may require:

3.6.2.1 That the information referred to in Subsection 3.6.1.1 be provided to Sturgeon School Division by means of a copy, acceptable to Sturgeon School Division, of

3.6.2.1.1 the student's birth certificate, if the student was born in Canada, or

3.6.2.1.2 another official document acceptable to Sturgeon School Division, if the student was born outside Canada, and

3.6.2.1.3 that the information referred to in Subsection 3.6.1.11 be provided to Sturgeon School Division by means of a copy, acceptable to Sturgeon School Division, of a Canadian citizenship certificate or of the visa or other document referred to in Subsection 3.4.1.11.

3.6.3 A student record must not include:

3.6.3.1 any information contained in

3.6.3.1.1 notes and observations prepared by and for the exclusive use of a teacher, teacher's assistant, counsellor or principal, that are not used in program placement decisions;

3.6.3.1.2 a report or an investigation record relating to the student under the *Child, Youth and Family Enhancement Act*; or

3.6.3.1.3 counselling records relating to the student that is or may be personal, sensitive or embarrassing to the student, unless Subsection 3.6.4 applies; or

3.6.3.1.4 any information that identifies a student as a young person as defined in the *Young Offenders Act* and all information relating to that student in that capacity.

3.6.4 Sturgeon School Division may include in a student record any information referred to in Subsection 3.4.3.1.3 that in the Board's opinion would clearly be injurious to the student if disclosed, where inclusion of the information in the student record would, in the Board's opinion, be

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3.6.4.1 in the public interest, or

3.6.4.2 necessary to ensure the safety of students and staff.

3.6.5 Notwithstanding Subsection 3.6.1, Sturgeon School Division will exclude from a student record a test instrument or any part of it. Where there is an appeal before the Board regarding a test, ~~a~~ or test result, the person referred to under Section 23(2) of the School Act may receive a result as if it were part of the student record.

3.7 Access to Student Records

3.7.1 The Associate Superintendent of Education Services or the school principal shall ensure that a student, the student's parent and any other person who has access to the student under a separation agreement, or an order of a court, are informed of their entitlement under the *School Act* to review the student record of that student.

3.7.2 The Associate Superintendent of Education Services, or the school principal, shall ensure that the contents of a student record are disclosed only in accordance with the *Freedom of Information and Protection of Privacy Act*, and only to the following:

3.7.2.1 A person in accordance with the *Freedom of Information and Protection of Privacy Act*.

3.7.2.2 An employee or agent of Sturgeon School Division, if the information in the student record is necessary and relevant to a matter being dealt with by the employee or agent.

3.7.2.3 The Minister of Education at the request of the Minister for the purpose of carrying out any program or policy under the Minister's administration.

3.7.2.4 The student for whom a record was created.

3.7.2.5 The parent of a student for whom a record was created unless the student is an independent student.

References:	*Board Policy*	*D/I/3 Security of Personal and Division Information*
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3.7.2.6 A parent with legal custody, access or entitlement under a separation agreement or an order of a court, unless the student qualifies for independent status.

3.7.2.7 The parent of an independent student, provided that written authorization granting access has been given by the independent student.

3.7.2.8 Officers of a court under a subpoena, court order, or a search warrant.

3.7.2.9 The Department of Justice of the Government of Alberta or to its designate when requested by that Department or its designate for the purpose of administering the Young Offenders Act or The Young Offenders Act (Canada) or carrying out any program or policy under either Act.;

3.7.2.10 A medical officer of health as defined in the Public Health Act or their designate, at their written request, 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

3.7.2.10.1 a student's name, address, date of birth, gender and school, and

3.7.2.10.2 the name, address and telephone number of the student's parent or guardian.

3.7.2.11 A Child Welfare Worker at their written request, subject to the *Child, Youth and Family Enhancement Act* and the workers presentation of picture identification containing their employee number.

3.7.2.12 A school in accordance with the provisions for transfer of a student record in Subsection 3.7 of this Administrative Practice.

3.8 Procedure for Access to Student Records

3.8.1 Before access is given to a student record, the record must be reviewed by the Associate Superintendent of Education Services or the school principal or designate, in accordance with

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the *Freedom of Information and Protection of Privacy Act*, to ensure that there is no reference to, or personal information of others, included in the student record.

3.8.2 Information about a student that is excluded from the student record under Subsection 3.6.3 of this Administrative Practice may be requested under the *Freedom of Information and Protection of Privacy Act*.

3.8.3 Persons who are entitled to examine the contents of a student record may do so on an appointment basis. The appointment can be made at the location where the record is housed or at another suitable place in the presence of the Associate Superintendent of Education Services, school principal or their designate.

3.8.4 When a student record contains information, a test, a test result or an evaluation or information administered by an employee or an agent of Sturgeon School Division who has relevant recognized expertise or training in the subject area, arrangements must be made as soon as possible for the employee, agent or a suitable alternate to be available for the purpose of providing an explanation and interpretation of its contents.

3.8.5 When a record contains information prepared by a person who is not an employee or agent of Sturgeon School Division, the person who wishes to review, or has reviewed, the record must be referred to the originator of the information for an explanation and interpretation of its contents.

3.8.6 A request for a copy of a student record by any individual or agency other than a school to which the student has newly transferred must

3.8.6.1 be in writing;

3.8.6.2 identify what is to be copied;

3.8.6.3 name the recipient of the copy;

3.8.6.4 include the written consent of the student or parent, if the recipient is other than the student or parent, and

3.8.6.5 include payment for any applicable fees.

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		E/IV/1 Personnel Records
		F/III/1 Student Records Management
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3.8.7 Copying Fees for Student Records

3.8.7.1 There is no initial fee for someone accessing their own student record if the request is for 40 pages or less.

3.8.7.2 Copy charges for requests in excess of 40 pages shall be twenty-five cents per page and $6.25 per one-quarter hour for copy time and preparing the records for release.

3.8.7.3 This subsection does not apply to authorized staff or agents of Sturgeon School Division acting in accordance with their duties.

3.9 Transfer of Sturgeon School Division Student Records

3.9.1 Parental consent is not required to transfer Sturgeon School Division Student Records.

3.9.2 If a student transfers from Sturgeon School Division, the principal or designate of the receiving school must request the student record be transferred to the receiving school and the principal or designate of the sending school must forward the student record to the receiving school as soon as possible.

3.9.3 If a student transfers from the Sturgeon School Division to another school in Alberta, upon a written request from the receiving school, the principal or designate of the sending school must transfer the original student record to the receiving school as soon as possible.

3.9.4 If a student transfers from Sturgeon School Division to a school outside Alberta upon a written request from the receiving school, the Associate Superintendent of Education Services or designate must:

3.9.4.1.1 transfer a copy of the student record to the receiving school as soon as possible; and

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3.9.4.1.2 keep the original record for at least seven years after the date the student could be expected to have completed grade 12, if the student had not transferred from the school.

3.9.5 Additional documentation may be required for transfer of student records outside of Alberta or Canada.

3.10 Maintenance and Storage of Inactive Student Records

3.10.1 Inactive student records will be centrally stored in the Divisional office and will be maintained in accordance with record retention guidelines.

3.11 Student Cumulative Record Files

3.11.1 For the school year beginning in August 2003, the student cumulative record file must be labeled with the following information:

3.11.1.1 the student's legal name;
3.11.1.2 the student's "also known as" name, if one exists;
3.11.1.3 the student's Sturgeon School Division identification number;
3.11.1.4 the student's Alberta Education identification number; and
3.11.1.5 the student's date of birth.

3.12 Compliance

3.12.1 Sturgeon School Division delegates the Associate Superintendent of Education Services to be responsible for ensuring that the policies and administrative practices established by the Board relating:

3.12.1.1 to student records Subsection 3.6.1; and

3.12.1.2 to information referred to in Subsection 3.4.3 comply with this Administrative Practice and the *Freedom of Information and Protection of Privacy Act*.

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