

STUDENT RECORDS

Background

The Division has the responsibility for maintaining appropriate records necessary for the education of students, for program placement, for verifying attendance and historical claims.

The School Administrator(s) shall be responsible for ensuring that staff members follow the provisions of the Education Act, Student Record Regulation 97/2019, and this administrative procedure for student records held in the school.

A student record shall consist of all information that affects the decisions made about the education of the student that is collected or maintained by the Division, regardless of the manner in which it is maintained or stored.

Procedures

1. Information kept in student records and released to other educational institutions shall be in accordance with Alberta Education regulations.
2. Student record information is to be treated as confidential by staff and shall be stored and destroyed in such a manner that this confidentiality is maintained.
3. Student record information may be released to certified professionals who have a bona fide interest in furthering the education of the student. Parental approval is to be obtained in advance, wherever possible, using form 320-2.
4. A student record shall be maintained for each student of the Division. Information about a student and the student's family shall be kept current and shall include only that which is useful to the school in the proper education of the student. A student registration form (Form 320-1) must be collected for each student at the beginning of each school year.
5. Each school shall have a satisfactory method for the safekeeping of student records. All student records, when not in use, shall be kept secure.
6. **Information included in Student Record File (SRF)**
The student record for a student or child must contain all information affecting the decisions made about the education of the student or child that is collected or maintained by a Division regardless of the manner in which the student record is maintained or stored, including:
 - the student's or child's name
 - a) as registered under the *Vital Statistics Act*, if the student or child was born in Alberta,
 - b) as registered under the applicable legislation of the province or territory in which the student or child was born, if the student or child was born in a province or territory of Canada other than Alberta, or
 - c) as shown on the documents under which the student or child was lawfully admitted to Canada, if the student or child was born outside Canada, and any other surnames by which the student or child is known;

- the student identification number assigned to the student or child by the Minister and any student identification number assigned to the student or child by the Division;
- the name of the student's or child's parent;
- proof of guardianship of the student or child and any documents evidencing limits on the guardianship of the student or child;
- the birth date of the student or child;
- the gender of the student or child;
- the addresses, email addresses and telephone numbers of the student or child and of the student's or child's parent;
- in the case of a student, the name of the Division of the student;
- the citizenship of the student or child and, if the student or child is not a Canadian citizen, the type of document pursuant to which the student or child is lawfully entitled to remain in Canada, and the expiry date of that document;
- the names of all schools attended by the student or child in Alberta and the dates of enrolment, if known, except for the names of any schools in respect of which including the name of the school would be contrary to section 3(1)(b) of the student record regulation (*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 that student in that capacity*);
- an annual summary, or a summary at the end of each semester, of the student's or child's achievement or progress in the courses and programs in which the student or child is enrolled;
- the results obtained by the student or child on any
 - a) provincial assessment under a program established by the Minister,
 - b) diagnostic test administered by the Division, and
 - c) standardized tests, under any testing program administered by the Division to all or a large portion of the students or children or to a specific grade level of students;
- any accommodation or exemption in respect of a provincial assessment under a program established by the Minister;
- in relation to any formal intellectual, behavioural or emotional assessment or evaluation administered individually to the student or child by a Division
 - a) the name of the assessment or evaluation,
 - b) a summary of the results of the assessment or evaluation,
 - c) the date of the assessment or evaluation,
 - d) the name of the individual who administered the assessment or evaluation,
 - e) any interpretive report relating to the assessment or evaluation, and
 - f) any action taken as program planning as a result of the assessment, or evaluation or interpretive report, including, without limitation, the provision of specialized supports or services;
- in relation to any formal intellectual, behavioural or emotional assessment or evaluation requested by the student's or child's parent and administered to the student by an independent party
 - a) the name of the assessment or evaluation,
 - b) a summary of the results of the assessment or evaluation,
 - c) the date of the assessment or evaluation,
 - d) the name of the individual who administered the assessment or evaluation,
 - e) any interpretive report relating to the assessment or evaluation, and
 - f) any action taken as program planning as a result of the assessment, evaluation or interpretive report, including, without limitation, the provision of specialized supports or services;

- any health information that the parent of the student or child or the student or child wishes to be placed on the student record;
- an annual summary of the student's or child's school attendance;
- in the case of a student, subject to section 2(2) of the student record regulation (*must be retained on the student record for a student for at least one year after the date on which the suspension or expulsion began; and be removed from the student record for a student not later than 3 years after the date of which the suspension or expulsion began*), information must be removed from the student's record; information about any suspension of more than one day or expulsion relating to the student or the student's rights pursuant to the Act;
- if the parent of the student or child has the right to have the student or child receive primary and secondary school instruction in the French language under section 23 of 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; and
- if the parent of the student or child or the student or child wishes to provide information that the student or child is of aboriginal ancestry, a notation indicating whether the student or child is Status Indian/First Nations, Non-Status Indian/First Nations, Metis or Inuit.

7. Information not to be included in the Student Record File (SRF)

These items will be retained in a file referred to as the Second Student File (SSF). The SSF contains many valuable documents for the student's success and therefore needs to be stored in a secure and confidential location. Please refer to Appendix A for guidelines pertaining to the procedures and retention of these documents.

8. Notwithstanding information not to be included in student record (SRF), the Division may include in a student record any information referred to in counselling records relating to the student that is or may be personal, sensitive or embarrassing to the student, that in the Division's opinion would clearly be injurious to the student if disclosed, where inclusion of the information in the student record would, in the Division's opinion, be
- 8.1 in the public interest; or
 - 8.2 necessary to ensure the safety of students and staff.
9. If an Individualized Program Plan (IPP) is specifically devised for a student or a child for a school year, the plan and any amendments to the plan must be placed on the student record of that student in addition to summaries of all of the previous school years' IPPs.
10. The Division may require
- 10.1 that the information referred to in the *Education Act* be provided to the Division by means of a copy, acceptable to the Division, of
 - 10.1.1 the student's or child's birth certificate and, if applicable, change of name certificate, if the student or child was born in Canada; or
 - 10.1.2 another official document acceptable to the Division, if the student was born outside Canada; and
 - 10.2 a copy, acceptable to the Division, of the student's or child's Canadian citizenship certificate or of the visa or other document pursuant to which the student or child is lawfully admitted to Canada for permanent or temporary residence.
11. The School shall ensure that the information referred to in this section is updated annually.

12. Student Transfer

- 12.1 If a student or child transfers to another school in Alberta, the receiving school will access the student or child's student record through Alberta Education's Provincial Approach to Student Information (PASI).
- 12.2 If a student transfers to a school outside Alberta, on receipt of a written request from that school, a copy of the student's record shall be released to that school via PASI.
- 12.3 Alberta Education School Finance requires that documentation supporting the student's eligibility as a funded student/funded child be retained for seven years. Accordingly, prior to releasing the student record, please retain copies of documentation that substantiates the age, citizenship, and residency of the student. The documentation may be needed for the annual audit conducted by Alberta Education School Finance.

13. Retention and Destruction of Student Record

The division will retain the student record for a student or child containing the information referred to in procedures 6 and 9 for 7 years after the student ceases to attend a school operated by the Board. At this time the student record will be destroyed in a manner that retains the confidentiality of the record.

14. Access

Parents and students shall be notified of the right of access to student records. The right to access records is outlined in the Education Act (S 56), the Student Record regulation and the Freedom of Information and Protection of Privacy Act (FOIP). The following statement shall appear on all registration forms of students attending schools in the Division:

Under Section 56 of the Education Act, students/parents (except where the student is an independent student) are entitled to review their child's/children's student records. The record, if still in the possession of the Division after the student's twenty-fifth birthday, shall be destroyed.

15. Maintenance of Records

Each School Administrator(s) is responsible for student record maintenance and access. Records may be kept in one or more of three ways:

- 15.1 *Basic Information* - represents the minimum personal data necessary for the operation of the Division, and as required by Alberta Education. Such records would be available to all professional staff, and would be updated periodically.
- 15.2 *Extended Information* - consists of potentially useful information which goes beyond the basic requirements of student records. It may include such items as psychological or other assessments, probation or court reports, etc. This data shall be kept in a separate, secured file. Access is limited to those requiring this information in direct interaction with the student.
- 15.3 *Suspensions or Expulsions* - in accordance with *Section 2(1)(r)* of the Student Record Regulation AR 97/2019 information about any suspension of more than one day or expulsion of a student or a student's rights must be recorded and retained for not less than one year and not more than three years at which time the information shall be removed from the student's record.

16. Divorced/Separated Families Release of Information

- 16.1 Unless a court order states otherwise, a person granted access to a student has the right to make inquiries, and to be given information on the education of the student.

- 16.2 Prior to the release of information, the School Administrator(s) should indicate to the parent having custody of the student that the School Administrator(s) has no right to withhold information unless a court order can be produced which restricts the right to records.
- 16.3 A student's legal name must not be changed on school records unless parents agree to the change, or legal authority is granted. The onus shall be on the custodial parent to provide this information.

17. Appeals

When a student of legal age and/or their parents have reviewed the student records, and find information to be invalid or record keeping procedures unsatisfactory, they may request the Superintendent to correct the information.

Reference: Section 9, 52, 53, 56, 70, 222 Education Act
Student Record Regulation 97/2019
Child, Youth and Family Enhancement Act
Section 6, 16, 17, 32, 33, 34, 35, 36, 37, 38 Freedom of Information and Protection of Privacy Act
Freedom of Information and Protection of Privacy Regulation 186/2008
Public Health Act
Vital Statistics Act
Section 23, Canadian Charter of Rights and Freedom
Youth Justice Act

Appendix A: Student Record (Appendix A) List
<https://docs.google.com/spreadsheets/d/1gEEFF6WUukOkYzTbHQAPm0s7fpZ0VwqphQuXWOSbwGw/edit#gid=778602531>

Forms: Student Registration (320-1)
Release and Sharing of Confidential Information Consent (320-2)

Amended: January 2022