

## Policy 412: STUDENT RECORDS

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Note:

For the purpose of this policy, the *lead administrator* in Kelowna Christian School is the Lead Principal

# Student Records Policy

## Introduction

Independent school authorities are well served by policies and practices regarding student records. Such policies and practices will benefit independent school students, parents, office staff, administrators, and authorities by providing guidance for the collection of information and its storage, use, transfer, and protection. Legal and public expectations regarding the confidentiality, disclosure and transfer of school student records are increasing, as are societal concerns regarding school record keeping and storage.

The legal framework for the development of this Student Records Requirements and Best Practices Policy is provided in the *Independent School Act* (Section 6.1), Sections 9 and 10 of the Independent School Regulations, and the Student Records Order (I 1/07). In addition, the Office of the Inspector for Independent Schools together with FISA BC have collaborated in producing the Student Records Requirements and Best Practices Guidelines for Independent Schools, Ministry of Education, June, 2012, which serves as a guide for independent school policy development. Section 9(2) of the ISA Regulations obliges independent school authorities to establish written policies regarding the storage, retrieval and appropriate use of student records

The school authority may add, modify, or remove portions of Kelowna Christian School's Student Records Requirements and Best Practices Policy when it is considered appropriate to do so, if it is not in conflict with legal requirements and government policy.

Kelowna Christian School is committed to ensuring that student records are handled in accordance with legal requirements and are consistent with best practices that meet the requirements of the *Personal Information Privacy Act* (PIPA).

## Purpose

The purpose of this document is to define policy and to determine procedures for the collection of student information and its storage, use, transfer and protection.

### 1. Policy Statements:

The following policy statements are provided to inform all parties who collect, use, store, and protect student information. Kelowna Christian School will:

- 1.1 Ensure that the lead administrator is responsible for the establishment, security and maintenance of the Permanent Student Record and student files for each student registered in the school according to the procedures defined in this policy.
- 1.2 Collect, use or disclose personal information only with the consent of the individual or legal guardian, unless otherwise authorized under PIPA.

- 1.3 Disclose to the individual verbally or in writing the purposes for the collection and use of personal information before collecting such information about an individual from the individual or legal guardian.
- 1.4 Only collect, use or disclose personal information for purposes that a reasonable person would consider appropriate under the circumstances and are consistent with the purposes of this school or are otherwise permitted under PIPA.
- 1.5 Secure student files with access restricted to those individuals who, by the nature of their work, are required to have access to the information.
- 1.6 Provide reasonable access to personal information held by the school authority to a student (capable of exercising PIPA rights), parent or legal guardian of a student during school hours and under the supervision of the lead administrator or designate.
- 1.7 Ensure that personal information will be retained only for the period of time required to fulfill the purpose for which it was collected.
- 1.8 Inform parents that concerns, complaints and questions about personal information handling policies and practices of the school authority may be directed to the school's Privacy Officer by calling the school office.

## **2. Definitions and Student Record Components**

### **2.1 Elements of the Student Record:**

- i. The Permanent Student Record, as defined in the Students Records Order (I 1/07):
  - a. Form 1704, PSB 048 (revised 2010) completed according to the current Permanent Student Record instruction requirements; and
  - b. Copies of a minimum of the two most recent years of Student Progress Reports or an official transcript of grades.
- ii. Form A, verifying the information about the student's parent or guardian in respect of students eligible for funding (see Appendix I);
- iii. Copies of documents listed as inclusions (see 2.2 below). Inclusions must be listed as such on the Permanent Student Record, Form 1704.

### **2.2 Permanent Student Record (Form 1704) Required inclusions:**

- i. Health Services information as indicated by the medical alert checkbox, such as diabetes, epilepsy, anaphylaxis producing allergies, and any other condition which may require emergency care;
- ii. Court orders as indicated by the legal alert checkbox or their rescinding date if applicable;
- iii. Other legal documents, e.g. name change or immigration document and,
- iv. Support services information (e.g. psychometric testing, speech and hearing tests, adjudication requirements for completing assessment activities)
- v. Current Individual Education Plan (IEP) and/or Case Management Plan (CMP) where applicable;
- vi. Notification of a student being home schooled;
- vii. The school authority may decide to include the following documents as part of the Permanent Student Record, in which case they must be listed as inclusions in the PSR. If these items are NOT part of the PSR, then they are included in the Student File (see section 2.3, vi below).
  - a. Standardized test scores
  - b. Records of information which an educator deems relevant and important to the educational program of the student
  - c. Award information

2.3 Student Files: Additional Student Record items that are not recorded as an Inclusion on the PSR are not part of the Permanent Student Record and are not transferred to other schools. These records may include:

- i. Student eligibility information: (Item (i) is a required inclusion for funding purposes but not for the PSR)
  - a. Legal name of child – verify the original and file a photocopy or scanned copy of birth certificate or similar legitimate identification document;
  - b. Official name(s) of parent(s) or guardian(s) with home and work contact information;
  - c. Verification that parent/guardian is legally admitted to Canada and a resident of BC (see Appendix I, Form A, used to collect this information)
- ii. Care Card number;
- iii. Emergency contact numbers;
- iv. Doctor's name and contact information;
- v. Serious discipline reports (e.g. copies of letters to parents/guardians regarding discipline matters and corrective actions taken); and reports of important meetings/discussions relating to the student.
- vi. Standardized test scores, record of information which an educator deems relevant and important to the educational program of the student, and award information IF NOT included in the PSR (see section 2.2, vii above).

2.4 Sensitive Student Information: Information which by its nature requires that school staff observe a high level of confidentiality. Examples include:

- i. Psychiatric reports;
- ii. Family assessments;
- iii. Referrals to or reports from school arranged counselling services; or
- iv. Record of a school-initiated report of alleged sexual or physical abuse made to a child protection social worker.

The lead administrator is responsible for the consent to collect, access, store, disclose and transfer sensitive documents in accordance with the law as defined in section 14 of the *Child, Family and Community Service Act*.

### 3. Procedures

3.1 The lead administrator or designate will be responsible for:

- i. Updating the PSR Form 1704 as information changes and the student progresses through the system;
- ii. Electronic copies will be stored on a server in a physically secure location. In addition to PIPA, if the information is accessed through the Internet, an encrypted connection (<https://>) must be established before authenticating. Access is restricted to those employees (such as designated records clerks, administration, teachers, and counsellors) who, by the nature of

their work, are required to have access.

- iii. The school authority must also be aware of and take necessary precautions to safeguard against deprecated or obsolete forms of storage. The electronic storage of PSRs and other personal information requires the school authority to have an adequate backup plan and recovery strategy for potential hardware failure and database corruption.

### 3.2 File Retention:

- i. Permanent Student Records – Active Students
  - a. Permanent Student Records are locked in fireproof cabinets. Access is restricted to those employees (such as designated records clerks, administration, teachers, and counsellors) who, by the nature of their work, are required to have access.
  - b. The school authority protects personal information from unauthorized access, collection, use, disclosure, copying, modification, or disposal, or similar risks. Procedures for such protection are outlined in sections 5 and 6 below.
- ii. Permanent Student Records – Inactive Students
  - a. Unless another school requests a student's PSR, the school authority archives PSRs for 55 years after a student has withdrawn and not enrolled in another K-12 school, or graduated from the school.
  - b. The archived PSRs are stored securely and in a manner that ensures the record's preservation from calamity (fire, flood, etc.) Access is limited to the lead administrator or designate.
  - c. The designated records clerk keeps a record of PSRs that are destroyed (shredded) after 55 years.
- iii. Student Files – Active Students
  - a. Student files are locked in cabinets in each school. Access is restricted to those employees (such as designated records clerks, administration, teachers, and counsellors) who, by the nature of their work, are required to have access.
  - b. The school authority is required (under Section 34 of PIPA) to protect personal information from unauthorized access, collection, use, disclosure, copying, modification, disposal, or similar risks.
  - c. The lead administrator or designate will regularly review student records to ensure that the information is relevant and important to the educational program of the student. *Required inclusions must be listed on the PSR*, indicating date of inclusion and date of expiration, if applicable.
- iv. Student Files – Inactive Students
  - a. Unless another school requests a student's file, the school authority archives students' files for 55 years after the student has withdrawn and not enrolled in another K-12 school, or graduated from the school.
  - b. The archived student files are stored securely and in a manner that ensures the records' preservation from calamity (fire, flood, etc.) Access is limited to the administration or designate.
  - c. The lead administrator or designate is responsible for determining the relevancy of the contents in student files before being archived.

### 3.3 Currency of Student Records

Student eligibility information (see Appendix I) will be updated during student registration each year.

### 3.4 Security of Student Information Off Campus

The lead administrator is responsible for ensuring that personal information taken off campus is safely stored and that personal information is protected.

### 3.5 Handling of Sensitive Student Information

The lead administrator or designate will obtain parental consent for the collection, use and disclosure of psychiatric reports and family assessments (written, dated and signed), and will store these as highly confidential documents with restricted access.

Access to sensitive student information is restricted to the lead administrator or a person or persons authorized by the lead administrator to access such information defined in section 2.4 of this policy.

## 4. Use of Student Personal Information

The school authority may use personal information for the following purposes:

- 4.1 To communicate with parents and students, to process applications, and ultimately to provide students with the educational services and co-curricular programs provided by the school authority.
- 4.2 To enable the authority to operate its administrative function, including payment of fees and maintenance of ancillary school programs such as parent voluntary groups and fundraising activities.
- 4.3 To provide specialized services in areas of health, psychological or legal support, or as adjunct information in delivering educational services that are in the best interests of the student.

## 5. Access to and Disclosure of Student Records

- i. A student (capable of exercising PIPA rights) and parent/legal guardian of a student is permitted (unless restricted by a court order) to:
  - a. Examine all student records kept by a school authority pertaining to that student, while accompanied by the lead administrator or designate to interpret the records; and
  - b. Receive a copy of any student record upon request. The school authority reserves the right to recover the direct cost of copying records.

An entitled person may access and verify personal information in student records with appropriate notice to the school administration and access will be provided during school hours.

- ii. In addition to parents/guardians and students, access to student records will only be granted, upon assurance of confidentiality (with consent), to professionals who are planning for or delivering education, health, social or other support services to that student. Consent will be obtained in writing, listing the name and date of birth of the student, the name and signature of the parent/guardian, and the date of the request.
- iii. When applicable, graduating students will be provided with interim and/or final transcripts

for Grades 10, 11 and 12 courses when graduating, and upon future request of the graduate. Copies will be mailed directly to institutions of higher learning or as requested. The school authority reserves the right to assess a reasonable fee for transcript requests.

- iv. In the case of a request for personal student information from separated or divorced parents, the school authority will be guided by the legal custody agreement, a copy of which should be provided to the lead administrator. In cases where the school staff is unsure if the non-custodial parent should have access to student information, the lead administrator will review the legal documents to make the determination of access to student information. The school's legal counsel may be consulted for a recommendation.

## 6. Transfer of Student Records

- i. On receipt of a request for student records from a school, a Board of Education, or an independent school authority from within British Columbia where the student is (or will be) enrolled, the school authority will transfer the PSR (including Required Inclusions), and a current IEP (if any) for a student to the requesting institution. The school authority will retain a copy of the PSR, indicating the school where the records have been sent and the date of the student record transfer. Only the PSR and the required inclusions will be transferred to the requesting district or authority.
- ii. If the requesting institution is outside British Columbia, a photocopy of the PSR will be sent. A copy of the IEP (if any) and declared inclusions will be provided upon receipt of signed and dated parental consent.
- iii. Requests for a student's record from a public school require that the public school administration provide a copy of the PSR (including declared inclusions) and current Student Learning Plan (if applicable) and IEP (if applicable) to the independent school authority. The original PSR must be retained by the public school.
- iv. The school authority will only transfer sensitive, confidential information (e.g. psychiatric assessments) after dated and signed parent/guardian consent has been obtained.
- v. The school authority will not transfer a record of a Section 14 *Child, Family and Community Service Act* report of alleged sexual or physical abuse made to a child protection social worker.
- vi. A summary of a student's school progress may be provided to prospective employers, at the written request of a former student. The school authority reserves the right to assess a fee for this service.
- vii. Student files will be reviewed when a student transfers. The lead administrator will ensure that the documents listed on the List of Inclusions are still relevant to the educational program or well-being of the student. Documents that are no longer relevant will be removed from the List of Inclusions and the documents themselves removed from the student file and shredded.  
It is the responsibility of the lead administrator to determine if documents in the student file are necessary or clearly helpful for educators to know when working for the benefit of the student.

## 7. List of Appendices

- A. Appendix 1: Form A – Status of Parent/Guardian (Admission to Canada and Residency)
- B. Appendix 2: Links to information on Student Record legislation:
  - i) [PIPA](#)
  - ii) [Independent School Act \[RSBC 1996\] Chapter 216](#)
  - iii) [Independent School Regulation](#)
  - iv) Student Records Order: <http://www.bced.gov.bc.ca/legislation/schoollaw/k/i1-07.pdf>
- C. Appendix 3: Links to Student Record Policy:  
[Student Records – Requirements and Best Practice Guidelines for Independent Schools, June 2012](#)
- D. Appendix 4: Link to the Child, Family and Community Service Act:  
[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96046\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96046_01)



**STATUS OF PARENT/GUARDIAN**

**(ADMISSION TO CANADA AND RESIDENCY) – FORM A**

To be completed and signed by a parent or legal (court-appointed) guardian. If legal guardian, attach a copy of court order appointing you as legal guardian.

**(Lawfully Admitted into Canada)**

1. I am (*please ✓ one*):

- A Canadian citizen (please attach a copy of parent’s birth certificate or citizenship paper/card).
- A Permanent Resident (please attach a copy of parent’s landed immigrant status paper or Permanent Resident card).
- Lawfully admitted to Canada under the Immigration and Refugee Protection Act (Canada) with one of the following documents (please mark the appropriate box below and attach a copy of document):
  - Admission as a refugee or refugee claimant.
  - Valid student permit for two or more years (or issued for one year but anticipated to be renewed for one or more additional years).
  - Valid employment authorization (work permit) for two or more years (or issued for one year but anticipated to be renewed for one or more additional years).
  - A person carrying out official duties under the authority of the Visiting Forces Act or as an accredited diplomatic agent, pre-clearance officer, consular officer or official representative in Canada of a foreign government with a consular post in British Columbia.
  - Other - document description: (must be cleared with Citizenship and Immigration Canada):  
\_\_\_\_\_

**(Residency in British Columbia)**

2. I am a resident of British Columbia (*please ✓ one*):

- Yes Residency address: \_\_\_\_\_  
\_\_\_\_\_

*(Attach a recent copy of a utility bill, mortgage document, rental agreement or tax assessment, etc.)*

- No I am not a resident of British Columbia.

**Confirming signatures:**

3. Parent/Legal Guardian’s name: \_\_\_\_\_

Parent/Legal Guardian’s signature: \_\_\_\_\_

Date: \_\_\_\_\_

*For Office Use Only:*

Proof of Residency: \_\_\_\_\_  
*Initials*

Date: \_\_\_\_\_