



Creighton School Division No. 111

Policy Name: **Student Records: Access, Confidentiality and Preservation**

Policy Type: **Students**

Number: 212

Date Approved: May 21, 2014

Legal Reference: *The Archives Act; Freedom of Information Act, SSBA Reco
Records Retention and Disposal Guide*

The Board of Education believes that while it is imperative for confidentiality of student records to be maintained, there is a countervailing duty to provide reasonable access to student information when requested by individuals who have a legitimate right or need to know.

Guidelines:

1. Responsibility for controlling access, maintaining confidentiality and seeing to the proper preservation of student records rests with the school principal.
2. The SSBA Records Retention and Disposal Guide will provide the overall direction for managing and disposing of student records.

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ADMINISTRATIVE PROCEDURES

1. Information contained in the permanent student record is to be readily accessible by current teachers, Special Education consultants and school administrators.
2. In all cases where access to the permanent student record is granted, access will be through the school principal responsible for the record. As well, a record of access including the name of the individual granted access, date and reason for access shall be made and kept in the permanent student record.
3. Students 18 years of age or older, and parents or guardians where a student is less than 18 years of age, shall be given the opportunity to review the permanent student record upon request to the principal responsible for the record provided one day's advance notice is given. In all cases, the review shall occur in the presence of a professional staff member.

Under the *Freedom of Information Act* the above individuals have the right to obtain a copy of the information.

4. Cumulative records are to be stored for a period of three years after a student turns 22.
5. When students transfer to another school within the province of Saskatchewan, the cumulative student records are to be transferred to that jurisdiction upon request by the receiving school.
7. When cumulative records are transferred to another school or jurisdiction, the principal shall ensure that the record contains only educationally relevant material.
8. When a new student arrives from an external jurisdiction, the principal is to forthwith request the cumulative records from the last school attended by the student.

9. Release of information contained in the permanent student record to third parties, including registrars of post-secondary educational institutions, external organizations and employers, is strictly prohibited, unless written authorization for information is obtained from the parents, guardians or student where the student is eighteen years of age or older. All letters of authorization for release of information shall be retained in the permanent student record. A list of such information shall also be retained.
10. Agencies with a legal mandate that require access to student records, regardless of parental/guardian approval (Health, Justice, Social Services, Public Health, Shared Services, etc.) shall be granted access provided that a written request is made which includes the legal basis for claiming access. If there is any doubt about the validity of the claim, administrators shall obtain legal advice before proceeding with the request.
11. Access to Education Support Services (Special Education) files shall be determined by the Director of Education, recognizing that there is a parental right of access to such material under the *Freedom of Information Act*.

Should the Director of Education determine that the release of specific items in the file could cause harm to individuals involved, such information may be withheld but is subject to a parental appeal to the Privacy Commissioner.