

## **STUDENT RECORDS**

### **Background**

Student records are maintained in order to provide accurate, up to date background information for making important educational decisions such as grade promotion/retention, program assignment and assisting students who have special educational needs. Student records must be kept in accordance with the most current Alberta Education Student Record Regulation and maintained in a format that protects the privacy of the student in accordance with the *Freedom of Information and Protection of Privacy Act*.

### **Procedures**

1. The Principal shall ensure that a single student record file shall be established for each student upon initial registration and maintained for the exclusive purpose of accumulating information needed to provide for the educational welfare of the student.
2. The Principal is responsible for maintaining accurate and complete records for each student and for updating student records at least annually.
3. Student records will be maintained in strictest confidence.
4. Parents and students shall be informed of their right to access student records and access, when requested, shall be provided at the earliest opportunity convenient to parents, students and staff.
5. Parents and students have the right to appeal any decisions that would deny them access to appropriate student records, or to appeal the accuracy or incompleteness of a school record.
6. The student record file is the property of the division which reserves the right to copy and/or release all or part of the file in accord with the School Act, provincial regulations and the Administrative Procedures of the division.
7. The total student record file may be located at the student's school or may in part be located in the division centralized student data file.
8. A student record file is to contain the following:
  - 8.1 With reference to the student's name:
    - 8.1.1 Name as registered under the Vital Statistics Act of Alberta or as registered in the student's place of birth if not Alberta.

- 8.1.2 Changes of name that have been made through legal procedures together with copies of validating documents.
- 8.1.3 Other surnames by which the student is known.
- 8.2 Name of the student's parent.
- 8.3 Birthdate.
- 8.4 Gender.
- 8.5 Alberta Education student identification number.
- 8.6 Address and telephone number of the student and of his/her parent/guardian.
- 8.7 Attendance area in which the student is resident.
- 8.8 Citizenship.
- 8.9 Student visa and its expiry date, if applicable.
- 8.10 Names and dates of enrolment (if known) of all schools attended in Alberta. (This requirement may be met by maintaining, in the file, documents that identify schools previously attended.)
- 8.11 Summary of achievement in each semester or year.
- 8.12 Results of:
  - 8.12.1 Diagnostic tests, achievement tests and diploma examinations conducted by or on behalf of the province.
  - 8.12.2 Standardized tests or testing programs administered to all or a large portion of the students or to a specific grade level of students within the division.
- 8.13 Notation of any formal intellectual, cognitive, social or emotional tests or evaluations of the student, the date of the test or evaluation, the name of the person who conducted the test or evaluation, a summary of the results of the test or evaluation, or any interpretive report. The Deputy Superintendent may direct that a test instrument or any part of it may be excluded from the student's record.
- 8.14 With respect to health information:
  - 8.14.1 Any health information that the parent or legal guardian of the student or the student wishes to be placed in the student record.
  - 8.14.2 A copy of the immunization record if provided by the public health nurse.
  - 8.14.3 Information related to observed medical conditions, for example, epileptic seizure may be entered in a student's file by the Principal, if the information is not intended to be used exclusively by the Principal and is useful for program placement decisions and other operational applications.
- 8.15 Summary of attendance for each year of attendance in a Holy Spirit Catholic School.

- 8.16 Notation regarding the eligibility of the parent to rights under Section 23 of the Canadian Charter of Rights and Freedoms.
  - 8.17 Information concerning any current Individualized Education Plan (IEP) specifically devised for the student.
  - 8.18 Cumulative record.
9. The Student Record File shall not include the following:
- 9.1 Notes and observations that are prepared by and for the exclusive use of a teacher, counsellor or Principal and are not used in program placement decisions.
  - 9.2 Any information relating to a report or an investigation under the Child Welfare Act.
  - 9.3 Information of a sensitive nature whose disclosure, in the judgment of the Principal, would clearly be injurious to the student. However, if in the opinion of the Deputy Superintendent, the release of the information would be in the public interest, the information shall be included in the student record.
  - 9.4 Third party reports which have been declared by the originator as "Restricted and not for Distribution".
10. Active files will be maintained in accordance with the following:
- 10.1 Files will be deemed active for the duration of the student's attendance in the division.
  - 10.2 Files are to be updated at least annually and also when deemed appropriate by the Principal.
11. Inactive files will be maintained in accordance with the following:
- 11.1 A student record remains confidential even when filed in storage.
  - 11.2 Files will be deemed inactive when the student is no longer in attendance at division schools.
  - 11.3 Inactive files will be retained in the school following the date on which the student transferred to another school district, graduated or otherwise ceased to attend within the division.
  - 11.4 Inactive files will be handled as follows:
    - 11.4.1 Each file will be maintained until the student for whom it was created would have reached the age of 26.
    - 11.4.2 Following the date on which the student for whom a file was created would have become 26 years of age; the file may be destroyed, as directed by the Deputy Superintendent.
12. When a student moves from one school to another within the division, the file shall be forwarded to the receiving school, subject to the following:

- 12.1 It will be the responsibility of the receiving Principal to request the student's file.
  - 12.2 If the request is not received within a reasonable time, it will be the responsibility of the Principal of the sending school to take appropriate steps to ensure that the file follows the student.
13. On receipt of a written request for the file of a student who has transferred to another school in Alberta outside of the division, the student record file will be forwarded to the receiving school.
  14. On receipt of a written request from a school outside of Alberta, the Principal shall forward a copy of the file and the original will be retained within the division.

### **Access to the Student Record Files**

Access to the student record file shall be in accordance with the following:

1. Access will be provided on an appointment basis.
2. The following persons will be permitted to examine the contents of a Student Record File in the presence of the Principal:
  - 2.1 Student for whom the file was created provided that the student has attained the age of 16.
  - 2.2 Parent of the student for whom the file was created, unless a written request denying access to the parent has been received from a student who qualifies as an independent student.
  - 2.3 Person granted entitlement under an order pursuant to the Divorce Act (Canada).
  - 2.4 Employee or agent of the Board, provided that the information contained in the file is necessary and relevant to the performance of his/her official duties.
  - 2.5 Other persons upon receipt of the written permission of the parent if the student is less than 16 years of age and/or the student if the student is 16 years of age or older.
  - 2.6 Officers of a court under appropriate court order.
3. Persons who are permitted to examine a file are to be provided with an explanation of its contents by a qualified individual.
4. When a file contains documents which relate to a test, a test result or an evaluation by an employee of the Holy Spirit Catholic Schools who has relevant recognized expertise or training, arrangements are to be made as soon as practicable for the availability of the employee or a suitable alternative for the purpose of providing an explanation and interpretation of the documents.

5. When a file contains a document prepared by a person who is not an employee of the Holy Spirit Catholic Schools, the person who wishes to review the files is to be referred to the originator of the document for an explanation and interpretation of its contents.
6. A copy of the contents of a student record file may be provided to authorized Board personnel and to the student (if 16 years of age or older) and to the parent provided:
  - 6.1 That compliance with the request is deemed to be in the student's best interests by the Principal.
  - 6.2 That written authorization from the parent (or student if 16 years of age or more) has been received for such a request and has been placed in the file.

### **Record of Transactions**

1. A record is to be maintained of the following transactions:
  - 1.1 Transfers of student record files to other schools.
  - 1.2 Issuance of copies of contents of student record files.
  - 1.3 Examination of the contents of student record files by persons other than Board employees.
2. The record is to include:
  - 2.1 Date of the transaction.
  - 2.2 Persons, agencies or schools involved in the transaction.
  - 2.3 Authorizing documents where applicable.

### **Changes to Student Record Files**

1. Procedures for reviewing the contents of a Student Record File on a regular basis will be developed by the Principal.
2. Procedures are to developed by the Principal for responding to requests from parents or students for an adjustment to the contents of a Student Record File
  - 2.1 Requests for an adjustment to a file may be made by the student if he/she has attained 16 years of age or by the student's parent.
  - 2.2 Requests for adjustment may relate to correction of the contents of documents, to the removal of documents or to the addition of documents.
  - 2.3 Responses to requests will be made in accordance with the following guidelines:
    - 2.3.1 Except for reports prepared by Board personnel or by outside agencies, the Principal is authorized to rule on requests for adjustment and to make appropriate changes in the file.

- 2.3.2 In the case of reports prepared by Board personnel, the Principal will obtain a decision from the originator of the document or, if unavailable, from the Deputy Superintendent.
- 2.3.3 In the case of a report prepared by agencies or person not employed by the Board, the Principal (in consultation with the Deputy Superintendent may remove the report in its entirety if it is determined that the information in the report is of a sensitive nature whose disclosure, in the judgment of the Principal, would clearly be injurious to the student. However, if in the opinion of the Deputy Superintendent, the release of the information would be in the public interest, the information shall be included in the student record file.
- 2.3.4 If the request is not approved by the Principal, the parent and/or student is to be informed of the right of appeal to the Superintendent.
- 2.3.5 Documents relating to the request and its resolution are to be placed in the file.

Legal Reference: Student Record Regulation 226/2006 –  
with amendments up to and including Alberta Regulation 229/2009