



Maple Hill School

SECTION	General School Administration
POLICY NAME	Student Records Policy & Best Practice Guidelines
POLICY NUMBER	303
DATE CREATED	August 30, 2017
DATE REVISED	
DATE IMPLEMENTED	September 1, 2017

Preamble

The Federation of Independent School Associations (FISA) developed a draft policy document on best practices for student records in 2012. This policy is based on the FISA document, but has been adapted to meet the needs of Maple Hill School.

The intent of the policy is to benefit and protect the school's students, parents, office staff, administrators and the board by providing guidance for the collection of information and its storage, use, transfer, and protection.

Policy:

Student Records at Maple Hill School will be created, used, stored and destroyed in accordance with the Student Records Order. The student record is a confidential set of documents that contains both educational and personal information about a student to be used for the purpose of recording the student's progress through his/her years at secondary school. The collection, use, distribution and destruction of student information will adhere to the Personal Information Privacy Act (PIPA).

Implementation:

The *Personal Information Protection Act* (PIPA) came into effect on January 1, 2004. Three basic principles in PIPA are:

- A representative of an Independent school must not collect, use or disclose personal information without the consent of the student or their legal guardian (unless otherwise permitted under PIPA).
- On or before collecting personal information the representatives of the independent school must disclose to the individual verbally or in writing the purposes for the collection and, on request, provide contact information.
- Independent school authorities may only collect, use or disclose personal information for the purposes that a reasonable person would consider appropriate. The information may also only be used for the purposes that were disclosed or are otherwise permitted under PIPA.

Under PIPA, students, parents and employees have the right to access their own personal information held by the independent school. A parent or guardian of a minor may exercise the

rights of the minor to access personal information of the minor if the minor is incapable of exercising this right described in PIPA. The commissioner under PIPA can investigate complaints about independent school authorities' handling of personal information.

Student Record Disclosure:

Maple Hill School will make available the student record for a student or child to be disclosed to a person who is planning for the delivery of, or delivering, health services, social services or other support services to that student or child. Any person who receives information from a student record must not disclose that information to any other person except for the purposes of delivering or planning the delivery of the services. This would include agencies such as the Ministry of Health, Ministry of Children and Family Development, and the local health authority.

Maple Hill School will require written requests from professionals as well as written consent given by the parents of a student in order to preserve confidentiality in regard to a student's file. Maple Hill School will facilitate and cooperate with the professionals in order to make sure that services can be offered to a student.

Responsible Person

The school's Privacy Officer is responsible to ensure that Maple Hill School complies with PIPA. The Board of Directors is responsible to establish and update the Student Records Policy.

Student Record Definitions:

The term "student record" is defined in the Independent School Act as a record of information (written or electronic form) for a student, but it does not include a record prepared by a person if that person is the only person with access to that record.

The "Permanent Student Record (PSR)" is defined in the Student Records Order as a subset of a student's record that is described below. It is the responsibility of the Independent School to create and uphold policies and procedures that describe the on-site placement of the various student record items (ex. whether records are housed in one or more folders and/or locations)

Maple Hill School office staff must follow the Ministry of Education's completion instructions for Form 1704. Included in these instructions are important requirements regarding medical and legal alert inclusions and recording of achievement and attendance.

Permanent Student Record - Transferable (Part 1)

When a student transfers to another school, the following items are to be transferred to that school once a request for student files has been made.

A. Elements of the Student Record (Student Records Order, Section 2)

Required Items:

1. The PSR, defined as the 1704 form.
2. Copies of at least the two most recent years of Student Progress Reports.
3. The student's Individual Education Plan (IEP) if applicable.

B. Permanent Student Record (Form 1704) Inclusions

Inclusions are documents (or copies of documents) used to plan or support a student's educational program. Not all students will have inclusions as part of their Permanent Student Record. Inclusions are listed in the "Inclusion Section" on Form 1704. If the space for inclusions becomes full, the school will add an addendum and attach it to the form for future additions.

Any documents listed as a PSR inclusion on Form 1704 become components of the Permanent Student Record and are required to be transferred with Form 1704 if the student enrolls in another school.

Required Inclusions

The following items must be filed with Form 1704, and dated and listed as an inclusion in the appropriate section on Form 1704, for any student to whom these may apply:

- 1) Health services information as indicated by the medical alert checkbox (see Form 1704) such as diabetes, epilepsy, anaphylaxis producing allergies, blood clotting disorders, and serious heart conditions; any other condition which may require emergency care.
- 2) Any situations and conditions that may interfere with student performance, health, or behaviour (hearing aids, prescribed medication, cerebral palsy, cystic fibrosis, etc.) and severe allergies in K-3 students to school based allergens.
- 3) Any court orders as indicated by the legal alert checkbox (see Form 1704) or their rescinding date if applicable.
- 4) Other legal documents (e.g. name change, student visa or immigration documents).
- 5) Support services information (e.g. psychometric testing, speech and hearing tests, adjudication requirements for completing assessment activities).
- 6) Individual Education Plans (IEP's) or Case Management Plans (CMP's).
- 7) Notification of student being homeschooled.

Optional Inclusions

The following optional inclusions may be listed on Form 1704 but are not required:

- Standardized test scores.
- Records of information which an educator deems relevant and important to the educational program of the student.
- Award information (Ministry awards information should include year, date and serial number of the award).

NOTE: If the school's Records Officer chooses to list an item as an inclusion, then it is required that the document(s) supporting the item listed be filed with Form 1704 as an inclusion and these items then become part of the Permanent Student Record.

The Records Officer **must acquire specific consent for these optional items** to be included in the PSR, unless circumstances prevent getting consent.

If the Records Officer chooses not to include optional items on Form 1704 as a PSR inclusion, they may be included as additional Student Record items *see Part 2 - Additional Student Record Items*. **These items are then NOT part of the Permanent Student Record.**

Form 1704 Currency and Format

The student record shall be updated annually, or prior to a student transferring to another school, whichever comes first. The Records Officer is responsible to ensure that 1704's are completed and kept up to date; and that any relevant inclusions are noted. A completed Form 1704 must be in every student's Permanent Student Record.

PSR Retention

The PSRs shall be retained until another school requests the PSR or for 55 years after a student has withdrawn and not enrolled in another K-12 school, or graduated from the school. PSRs must be stored securely in a locked fire-proof cabinet. If a student record is to be disposed of, it must be properly shredded.

If a student withdraws and enrolls in another K-12 educational institution, the authority must, upon request from the enrolling K-12 educational institution, transfer the PSR.

Additional student record items (see Part II below) are *not* part of the transferable Permanent Student Record.

Additional Student Record Items (Part 2) - Non-Transferable

For school use only and not part of the Transferable Record.

Additional student record items are *not* part of the transferable Permanent Student Record. **These are to be retained for 10 years following graduation or withdrawal, with the exception of photograph consents which are to be kept indefinitely.**

These include.

Registration forms and emergency contacts.

Signed consent forms (photograph, financial agreements, behaviour documents, etc.)

Student discipline records.

Documentation of communications with parents.

The following items must be retained for a minimum of 10 years:

Consent forms (with the exception of photograph consents which must be kept indefinitely);

Student discipline records must be retained for 10 years or according to school policy.

PLEASE NOTE: Student discipline records may provide critical evidence for future dispute situations.

All student files are to be kept in a locked fire proof cabinet.

Additional Items--non-transferable:

Required Items

The following **items must be included in student records** to establish student eligibility for funding and ensure that student health and safety information is complete:

- 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, and emergency contact information (as requested in the Maple Hill School registration form).
- c) Document verifying the information about the student's parent or guardian in respect of students eligible for funding.

Updating of Information:

Administrative staff must ensure that parents are asked at the beginning of each school year to update all contact information. Parents are further requested to provide updated information at any time that there are changes and are instructed to provide this information to the administrative assistant.

Contact information is updated by the administrative assistance. It is updated in the office binder, and is updated in the teacher binders for their emergency contact information. This is done periodically during the year as required to keep information up to date.

Access to Student Emergency Contacts: fieldtrips & evacuations

As stated in the field trip and evacuation policies, teachers are required to carry a copy of the classroom binder with student emergency contacts on field trips and during all evacuations. Classroom binders are to be kept in a secure, yet accessible, location. Binders are located so that they are easily accessed in the case of an evacuation. For field trips they are kept by the teachers and may be retained in backpacks held by the teachers. A staff cell phone must be on each field trip; in the event of a medical emergency, further student information can be accessed by phone from the school.

Teachers are advised of any students with anaphylaxis by the administration during the training week, and when such a student enrolls at the school.

For field trips, teachers are required to ensure that student medication for severe anaphylaxis is with the student or a teacher.

Optional Items

The following are optional:

- a) Care card number
- b) Emergency contact numbers;
- c) Doctor's name and contact information;
- d) Allergies, medication and/or other health concerns (other than those required to be listed under the medical alerts
- e) Previous student progress reports (other than the two most recent years required in the PSR;
- f) Serious student discipline reports (e.g., copies of letters to parents/guardians regarding discipline matters and corrective actions taken);
- g) Reports of important meetings/discussions relating to the student.

Information shall be dated at the time of inclusion.

Sensitive Student Record Information

The following information is considered sensitive and shall be accessible to staff on a ``need-to-know`` basis as determined by the Privacy Officer. **Transfer of this information to another school may only be done with a written signed consent from the parents or legal guardian and in compliance with the law.**

- a) Psychiatric reports;
- b) Family assessments;
- c) Referrals to or reports from school arranged counselling services;
- d) Record of a school-initiated report of alleged sexual or physical child abuse made (under the duty to report) to a child protection social worker.

Such reports are strictly confidential and must be stored in a fire-proof locked cabinet where only the school Records Officer or persons authorized by them to have access.
Access to and Disclosure of Student Records (Part 3)

School policies and procedures ensure confidentiality of information contained in student records and maintain privacy for students and their families in accordance with the requirements of PIPA. While disclosures may be made to parents/guardians regarding their children/students in accordance with PIPA, **disclosures should not be made that would reveal private information about other students or individuals.**

A student (capable of exercising PIPA rights) and parents/guardians of a student should be permitted (unless restricted by a court order) to:

- 1. Examine all student records kept by a school pertaining to that student, while accompanied by the Records Officer or a person authorized to interpret the records.
- 2. receive a copy of any student record.

PLEASE NOTE: Report cards will never be withheld from students and parents for any purpose whatsoever. Under PIPA, students, parents or guardians have a right to view and receive copies of student records which include current and past report cards.

PLEASE NOTE: Report writers and those screening reports should be aware of the rights of parents/guardians or students to examine and receive copies of student records pertaining to the student.

In addition to parents/guardians and students, access to student records should only be granted, upon assurance of confidentiality (with consent) to:

- 1. Professionals who are planning for, or delivering education, health, social or other support services to that student.
- 2. School authority's insurer to defend any claim/potential claim.

In the circumstances referred to in points 1 and 2 **the professional or insurer must ensure, in writing** that they will:

- 1. Maintain privacy of the student and the student's family with respect to matters disclosed in the record.

2. Not use or disclose the information in the student record except for the specific purposes for which the information is provided.

If school officials are **unsure as to the legal entitlements of the non-custodial parent** or if there is **serious conflict between the parents with respect to student record requests**, then school officials **should obtain legal advice from the school's legal counsel**.

Transfer of Student Records (Part 4)

Overview

On receipt of a request for student records from a school, Board of Education, or another independent school authority from within British Columbia where the student is (or will be) enrolled, the previously enrolling school must transfer the Permanent Student Record (including declared inclusions).

School policy determines any additional items to be transferred, if any. **The school shall retain a photocopy of the Form 1704, indicating the school and date where and when the PSR was sent** unless circumstances require otherwise.

If the requesting educational institution is outside British Columbia, a photocopy of the PSR should be sent. School policy determines any additional items to be transferred, if any. **The Original PSR shall be retained.**

PLEASE NOTE: A report to a child protection social worker of alleged sexual or physical child abuse made under section 14 of the Child, Family and Community Service Act **should be retained by the independent school in strict confidentiality and the information should not be transferred** to another school.

Transfer of any sensitive, confidential information should only occur after written, dated and signed parental/guardian and student consent has been obtained to do so (other than section 14 reports - see NOTE above).

The school shall retain written record of all student record transfers (e.g. student name, date of birth, name and address of receiving school and date of record transfer).

If an independent school closes:

The school authority is to take responsibility and provide for arrangements to ensure that PSRs are transferred to the receiving schools in which students will be enrolled to continue their education.

In the event that a student will be homeschooled, the PSR must be transferred to the school registering the child as homeschooler.

Only those PSRs which cannot be transferred by the independent school authority must be sent, within 60 days of the closure of the school, to the Inspector of Independent Schools

Complaint Procedure (Part 5)

In the event that a parent has a complaint regarding the application of PIPA, the family shall be offered the following process:

Meeting with the Privacy Officer, principal or executive coordinator; if no resolution:

Provide a written complaint to the Board of Directors. The Directors will provide a written response; if no resolution;

Be referred to an ombudsperson through FISA.

PART V – QUICK REFERENCE CHART

	PERMANENT STUDENT RECORD – PSR (TRANSFERABLE)	ADDITIONAL SCHOOL FILE ITEMS (NON TRANSFERABLE)
REQUIRED ELEMENTS	<ol style="list-style-type: none"> 1. 1704 WITH LIST OF INCLUSIONS (IF ANY) 2. STUDENT PROGRESS REPORTS (MOST RECENT 2 YEARS OR TRANSCRIPT) 3. COPIES OF INCLUSIONS (IF ANY) <ol style="list-style-type: none"> A. HEALTH SERVICES INFORMATION IN REFERENCE TO THE 'MEDICAL ALERT' CHECKBOX B. COURT ORDERS IN REFERENCE TO THE 'LEGAL ALERT' CHECKBOX C. SUPPORT SERVICES INFORMATION (PSYCHOMETRIC ASSESSMENTS, ETC) D. IEP OR CMP E. NOTIFICATION OF STUDENT BEING HOMESCHOOLED 	<ol style="list-style-type: none"> 1. LEGAL NAME (COPY OF BIRTH CERTIFICATE) 2. OFFICIAL NAMES OF PARENTS OR GUARDIANS AND CONTACT INFORMATION 3. PARENTAL/GUARDIAN LEGAL RESIDENCY IN BC
OPTIONAL ELEMENTS	<ol style="list-style-type: none"> F. STANDARDIZED TESTS G. RECORDS OF INFORMATION RELEVANT TO STUDENT'S EDUCATIONAL PROGRAM H. AWARD INFORMATION <p>NOTE. THESE ITEMS, ONCE INCLUDED AS PART OF THE PERMANENT STUDENT RECORD, DO BECOME TRANSFERABLE.</p>	<ol style="list-style-type: none"> 4. CARECARD/BC SERVICE CARD NUMBER 5. OTHER HEALTH OR MEDICAL CONCERNS THAT MAY AFFECT THE STUDENT IN LESS SERIOUS WAYS 6. EMERGENCY CONTACT INFORMATION 7. FAMILY PHYSICIAN'S NAME AND CONTACT INFORMATION 8. OTHER PROGRESS REPORTS 9. SERIOUS DISCIPLINE REPORTS 10. IMPORTANT MEETING REPORTS 11. SENSITIVE INFORMATION