



MAPLE HILL SCHOOL
SUMMITTING TOGETHER

Maple Hill School

SECTION	General School Administration
POLICY NAME	Privacy Policy
POLICY NUMBER	314
DATE CREATED	August 8, 2017
DATE REVISED	
DATE IMPLEMENTED	September 1, 2017

Preamble:

The *Personal Information Protection Act* (PIPA) came into effect on January 1, 2004. It covers the collection and disclosure of personal information. As an independent school, Maple Hill School falls under this legislation.

Policy:

The personal information of all students and personnel associated with Maple Hill School will be treated with full confidentiality and will only be used for the purposes that it was collected. Personal information shall be secured and held confidential and will only be shared with those who are required to know the information. Personal information that is no longer relevant or required shall be destroyed.

Implementation:

1. Personal Information Protection Act (PIPA):
The basic principles in PIPA are:
 - a. Personal information may not be collected, used or disclosed without the consent of the student or their legal guardian (unless otherwise permitted under PIPA).
 - b. Reasons for collecting information must be disclosed to the individual verbally or in writing prior to the collection of such information.
 - c. Personal information may also only be used for the purposes that were disclosed or are otherwise permitted under PIPA.
 - d. Any person has the right to access his/her own personal information held by the school. A parent or guardian of a minor may exercise the rights of the minor to access personal information of the minor.
 - e. The Privacy Commissioner has the authority to investigate complaints about how the school is collecting, using, sharing or storing personal information.
2. Responsible Persons:
The Records Officer in collaboration with all staff are responsible to ensure that Maple Hill School complies with PIPA. The Board of Directors is responsible to establish and update the Student Records Policy and General Privacy Policy.

3. Records:
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.
4. Not Records:
Refers to any information concerning a student that only one person might have access to such as a teacher’s private notes about a student.
5. Collecting and using Information about Students:
Maple Hill School is dedicated to protecting the privacy of students including any information collected as a formal record or in an informal capacity.

Collecting Information about students must always only be done with the permission of the student (if they are over the age of 18) or with the permission of the parent/guardian if the student is under the age of 18.

There is an automatic and implied permission to collect information related to the education of the student in the form of school work, information for assessment or grading and other educational uses. For other purposes, when asking permission to collect additional information the student and/or guardian must be told the purpose for collecting this information. The information must be used for the stated purpose.

Information that is solely for teaching and learning purposes (school work, observations, projects, marks, students notes) falls under the mandate of teaching the students and does not require explicit permission for collection, use or storage. Staff however should be aware of the rights of parents/guardians or students, which may allow them to examine and receive copies of this information. Anything written or recorded about a student should be written in an appropriate way and as if it were to be made available to the parents. *All school work should be returned to the students unless explicit permission is given to the teacher to keep a copy or the original school work. The exception is for provincial and in class exams that are kept for the purposes of maintaining academic integrity. The purpose of retaining the school work must be communicated with the student and the purpose upheld.* For example, a teacher may want to hold onto a copy of a project to show future students what an exemplary project is. The teacher must not use this project for another purpose such as showing what a poor project might look like. *When sharing or using this school work every step must be taken to prevent disclosing the identity of the student when doing so.*

Teachers are cautioned when collecting and using any information about students that is not strictly for teaching purposes, e.g., blogging, vlogging, journaling, etc.

Use of student information either directly or indirectly for non-teaching purposes should be avoided by all staff members to prevent accidental disclosures of student information and inappropriate collection of this information. *All collection or use of information for purposes that are not solely for teaching must be vetted and agreed to by the school administration.*

Special emphasis must be put on taking photographs, videos or sound recordings of students. Everything must be done to protect the identity and privacy of students. *Any publishing of photographs or video recordings may only be done with permission parents/guardians.*

6. 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 Records Officer. *Transfer of this information to another school or organization 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 fireproof locked cabinet where only the school Records Officer or persons authorized by them have access.

7. Access to and Disclosure of Information about Students:

All staff members are expected to maintain strict privacy of information about 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. An important exception to this rule of privacy are the Duty to Report and during criminal investigations if and only if these disclosures are to proper authorities.*

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

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.

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

- Professionals who are planning for, or delivering educational, health, social or other support services to that student, e.g., psychologist, nurse
- School authority's insurer to defend any claim/potential claim.

The professional or insurer, in turn, must ensure in writing that they will:

- Maintain privacy of the student and the student's family with respect to matters disclosed in the record, and
- 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 access or if there is serious conflict between the parents with respect to student record requests, then school officials should obtain advice from the school's legal counsel.

8. Access to Student Emergency Contacts: Fieldtrips & Evacuations

Further detailed in the Field Trip Policy (Policy 319) and Emergency Procedures Policy (Policy 307), teachers are required to carry a copy of the classroom Emergency Binder with student emergency contacts on all field trips and during all evacuations. Classroom Emergency Binders are to be kept in a secure, yet accessible, locations. For field trips, they are kept by the supervising teacher. An school cell phone must be taken on each field trip; in the event of an emergency.

Teachers are required to ensure that appropriate medication for anaphylactic students is taken on the field trip.

9. Inappropriate Disclosure of Information:

Staff at the school is expected to take every reasonable precaution to prevent inappropriate disclosure of information either accidental or otherwise. See Anaphylactic Policy (Policy 301).

- Teachers should not talk about students to other teachers in a public setting where other students might over hear. This is true even if that information is positive.
- Teachers should not share stories with friends and families or through social media even if no names of the students are not said.
- Storage of student information should be protected and should not be easily accessible in the case of a lost/stolen laptop or device.
- Passwords that give access to online depositories of information should not be shared.
- School work should be stored in a protected location in the school, class or home.
- Teachers should avoid carrying school work or student information around with them.
- Teachers should be well organized so as to avoid misplacing or losing students work.

10. Complaint Procedure

Parents/Guardians who have complaints regarding the breach of privacy shall:

- First meet with the Records Officer, Principal or Executive Coordinator to resolve the complaint.;
- If no resolution is found, the parents/guardians may provide a written complaint to the Board of Directors for their resolution.
- If no resolution, the parents/guardians may escalate their complaint to the independent school Ombudsperson who may choose to hear/not hear the case.