

320 STUDENT RECORDS

Background

The Division believes that Student Records must be maintained to provide accurate and up to date background information on students. Information may be used for making education decisions such as grade promotion/retention, program assignment or for assisting students who have special educational needs.

The Superintendent is authorized to create, maintain, transfer and allow access to student school records and further, is authorized to coordinate the storage and destruction of student records in accordance with the Division's records retention schedule.

The purpose of this administrative procedure is to ensure that:

1. Students records are complete and accessible,
2. The integrity and accuracy of student records is maintained and protected,
3. All student records series are securely transported where necessary and securely destroyed at the end of their life span.

Guidelines

1. This administrative procedure applies to all student records received, generated or used in the course of normal business operations of board, departments or schools.
2. School Principals are responsible for maintaining records for each pupil registered in the Division.
3. Records must be updated at least annually.
4. The legal custodian of student records is the Superintendent.
5. All information on student records shall be treated as confidential by the District and its staff including temporary or contracted help.
6. Parents, legal guardians and students shall be informed of their right of access to student records.
7. Access to records shall be provided at the earliest opportunity convenient to all parties.

8. Parents, legal guardians and students may appeal the accuracy or incompleteness of student records. Parents, legal guardians and students may appeal any decisions that would deny them access to appropriate student records.

Content

1. Student records (mandatory) must contain as per Student Record Regulation 97/2019:
2. All information affecting the decisions made about the education of the student that is collected or maintained by a board, regardless of the manner in which it is maintained or stored, or includes
 - a. The student's or child's name as registered under the Vital Statistics Act or, if the student was born in a jurisdiction outside Alberta, the student's name as registered in that jurisdiction, or in documents under which the student or child was lawfully admitted to Canada, and any other surnames by which the student is known.
 - b. The student identification number assigned to the student by the Minister of Education and any student identification number assigned to the student by a board.
 - c. The name of the student's parent or child's parent.
 - d. Proof of guardianship of the student or child and any documents evidencing limits on the guardianship,
 - e. The birth date of the student or child,
 - f. The gender of the student or child,
 - g. The addresses, email addresses and telephone numbers of the student or child and of the student's or child's parent.
 - h. The Board of which the student is a resident student.
 - i. The citizenship of the student or child and, if the student or child is not a Canadian citizen, the type of document pursuant to which the student or child is lawfully admitted to Canada for permanent or temporary residence, and the expiry date of that document.

- j. The names of all schools attended by the student or child in Alberta and the dates of enrollment if known.
- k. An annual summary or a summary at the end of each semester of the student's or child's achievement or progress in the courses and programs in which the student or child is enrolled.
- l. The results obtained by the student on any:
 - i. Diagnostic test, achievement test and diploma examination conducted by or on behalf of the province, and
 - ii. Standardized tests under any testing program administered by the board or ECS operator to all or a large portion of the students or to a specific grade level of students.
- m. Any accommodation or exemption in respect of a provincial assessment under a program established by the Minister
- n. In relation to any formal intellectual, behavioral or emotional assessment or evaluation administered individually to the student by the board,
 - i. The name of the assessment or evaluation
 - ii. A summary of the results of the assessment or evaluation
 - iii. The date of the assessment or evaluation
 - iv. The name of the individual who administered the assessment or evaluation
 - v. Any interpretive report relating to the assessment or evaluation, and
 - vi. Any action taken as program planning as a result of the assessment, evaluation or interpretive report, including the provision of specialized supports.
- o. In relation to any independent formal intellectual, behavioral or emotional assessment or evaluation requested by the student's parent and administered to the student or child by an independent party.
 - i. The name of the assessment
 - ii. A summary of the results of the assessment or evaluation
 - iii. The date of the assessment or evaluation
 - iv. The name of the individual who administered the assessment or evaluation
 - v. Any interpretive report relating to the assessment or evaluation, and

- vi. Any action taken as program planning as a result of the assessment, evaluation or interpretive report.
 - p. Any health information that the parent of the student or child, or the student or child wishes to be placed on the student record.
 - q. An annual summary of the student's or child's school attendance.
 - r. In the case of a student, subject to subsection (2), information about any suspension of more than one day or expulsion relating to the student or the student's rights pursuant to the Education Act
 - s. If the parent of the student or child receive primary and secondary school instruction in the French language under section 23 of the Canadian Charter of Rights and Freedoms, a notation to indicate whether the parent wishes to exercise that right.
 - t. If the parent of the student or child wishes to provide information that the student is of aboriginal ancestry, a notation indicating whether the student is Status Indian/First Nations, Non-status Indian/First Nations, Métis or Inuit.
3. Information referred to in subsection (2) (r) must be retained for a student for at least one year after the date that the suspension or expulsion began and, must be removed not later than 3 years after the date on which the suspension or expulsion began.
4. A board may include in a student record any information referred to in section (3), that in the board's opinion would clearly be injurious to the student if disclosed, where inclusion of the information in the student record would, in the board's opinion, be:
- a. In the public interest, or
 - b. Necessary to ensure the safety of students or children and staff
5. If an individual program plan is specifically devised for a student or child, the current plan and any amendments to the plan must be placed on the student record in addition to summaries of all of the previous school years' individualized program plans.
6. A board may require
- a. That the information referred to in section (5) be provided to the board by means of a copy, acceptable to the board, of
 - i. The student's birth certificate, and if applicable change of name certificate, if the student was born in Canada, or
 - ii. Another official document acceptable to the board, if the student or child was born outside Canada, and

- b. A copy, acceptable to the board, of Canadian citizenship certificate or the document pursuant to which the student or child is lawfully admitted to Canada for permanent or temporary residence.
7. The board shall ensure that the information referred to in this section is updated annually and any information to which subsection 7 applies, removed
8. Information not to be included in the student record:
- a. Any information contained in:
 - i. Notes and observations prepared by and for the exclusive use of a teacher, teacher's assistant, counsellor or Principal, and that are not used in program placement decisions,
 - ii. A report or an investigation record relating to the student under the Child, Youth and Family Enhancement Act, or
 - iii. Counselling records relating to the student that is or may be personal, sensitive or embarrassing to the student, unless section 3 applies, or
 - b. Any information that identifies a student as a young person as defined in the Youth Criminal Justice Act or the Youth Criminal Justice Act (Canada) and all information relating to that student in that capacity.

Exclusions

The Superintendent may exclude from a student record a test instrument or any part of it, but where there is an appeal before the board in respect of a test, a test result or an evaluation of a student in respect of a test or a test result, the persons referred to in section 1 (2) of the act may review a test instrument as if it were part of the student record.

Retention of a Student Record

1. A board shall keep a student record containing the information referred to in section 1 and 3 for 7 years after the student ceases to attend a school operated by the board or until the student record has been forwarded to another school in accordance with AP 320.
2. If as student transfers from a school in Alberta to a school outside Alberta, the board that operates the school from which the student transfers shall keep the student record containing the information referred to in section 1 and 3 for 7 years after the date the student could be expected to have completed grade 12 if the student had not transferred from the school.
3. Notwithstanding subsection 8.a and 8.b, a board may choose to keep a record for longer than 7 years if a longer period is authorized by a resolution of the board.

Disposal and Destruction of a Student Record

The Division shall dispose of or destroy student records that are no longer required to be kept under section 8.

Student records shall be disposed of or destroyed in a manner that maintains the confidentiality of the information in the record.

The Division shall dispose of information referred to in the *Freedom of Information and Protection of Privacy Act* relating to a student in the same manner as student records are to be disposed, according AP 180: Records Management.

Access to Student Record

A Division must ensure that the persons who, under section 56 of the Education Act, are entitled to review the student record are informed that they are entitled to review the student record.

Disclosure of Information

1. A board may only disclose the contents of a student record:
 - a. in accordance with sections 56 and 70 of the Education Act
 - b. to an employee of the board if the information is necessary for the performance of the duties of the employee,
 - c. to the Minister if the information is necessary for the performance of duties of the Minister,
 - d. with the written consent of the parent or student who is 16 years old or older,
 - e. in accordance with the Freedom of Information and Protection of Privacy Act
 - f. must disclose information contained in the student record to the Department of Justice and Solicitor General for the purpose of administering the Youth Justice Act or the Youth Criminal Justice Act (Canada) or its policies and programs

Student or Child Transfer

1. If a student or child transfers from a school in Alberta to another school in Alberta,
 - a. The board may disclose information, in electronic or written form, contained in the student record to the school to which the student or child transfers and must, upon receipt of a written request from the school to which the student or child transfers, transfer the original student record.
 - b. If a student or child transfers to a school outside of Alberta the board must transfer, upon written request from the school to which the student or child transfers, send a copy of the student record.

Forms

(Appendix A) Procedures for Storage of Student Records

References

Education Act sections 1.1(2), 9, 36, 37, 42, 43, 52, 56, 196, 197, 222
Child, Youth and Family Enhancement Act
Freedom of Information and Protection of Privacy Act
Public Health Act
Social Development Act
Vital Statistics Act
Youth Justice Act
Section 23 Canadian Charter of Rights and Freedoms
Youth Criminal Justice Act
Freedom of Information and Protection of Privacy Regulation 200/95
Student Record Regulation 97/2019
Children First Act Disclosure of Information Regulation 231/2013

History

Developed: August 2003
Amended: January 2020

Appendix A

PROCEDURES FOR STORAGE OF STUDENT RECORDS

Series & Retention	Content	Responsible for Inclusion	Transfer Instructions	Storage Location
Cumulative record (56010) [27 years from Date of Birth]	1. Identifying information	1. Administrator or School Office Support Staff	Elementary - Transfer all graduating students to junior high prior to the beginning of the school year. Junior High - Transfer all graduating students to senior high prior to the beginning of the school year. All senior high graduates and any closed (transferred or deceased) files to be boxed and listed and sent to District records storage in October or November in accordance with Records management procedures. School Office Support Staff	Main Office - each school.
	2. Family information or demographic data e.g. parent name, address, telephone & eligibility for French language training	2. Administrator or School Office Support Staff		
	3. Copies of citizenship	3. Administrator or School Office Support Staff		
	4. List of schools attended in Alberta & dates	4. Administrator or School Office Support Staff		
	5. Annual summary of achievements – academic results K-6 Each Term, Jr/Sr Year-end Summary	5. Principal or designate		
	6. Results of diploma examinations	6. Principal or designate		
	7. Annual Summary of attendance	7. Administrator or School Office Support Staff		
	8. Cumulative file requests	8. School Office Support		
	9. Results of diagnostic tests that are school wide (by grade) or District wide assessments (e.g. HLA, CAT 4) and/or achievement tests	9. Counsellor, classroom teacher or, designate		
	10. Applications under the student evaluation regulation	10. Principal or designate		
	11. Health information (Can be placed on the request of student or parent)	11. Administrator or School Office Support Staff		
Cumulative record (56010) Discipline information	12. Expulsion or suspension notices of more than one day, 13. Incidents, 14. Appeals, 15. Actions taken or suggested	12.-15. Principal or designate	Documents must be retained for at least one year after the disciplinary action has been taken. A note to the receiving District school principal or designate advising the date of suspension. Remove all transitory information and securely destroy.	Main Office – each school

The records below are NOT part of the Student Cumulative Record and are NOT to be sent out of District. They are to be transferred to either the within District requesting school, or to the District records storage facility for storage or destruction.

Series & Retention	Content	Responsible for Inclusion	Transfer Instructions	Storage Location
<p>Counselling records (56040)</p> <p>[27 years from Date of Birth]</p>	<p>28. Discussion notes,</p> <p>29. Actions taken or suggested,</p> <p>30. May contain copies of reports (behavioral, psychological) see 56010 series</p> <p>31. In relation to any independent formal intellectual, behavioural or emotional assessment or evaluation requested by the student's parent and administered to the student by an independent party.</p>	<p>28-31. Counsellor or Principal</p>	<p>Elementary - Transfer all graduating students to junior high counsellors prior to the beginning of the school year. Remove all transitory information and securely destroy.</p> <p>Junior High - Transfer all graduating students to senior high counsellors prior to the beginning of the school year. Remove all transitory information and securely destroy.</p> <p>All senior high graduates and any closed (transferred or deceased) files to be boxed and listed and sent to District storage in October or November. Remove all transitory information and securely destroy.</p>	<p>Principal's Office or Counsellor Office</p>
<p>Youth Justice or The Youth Criminal Justice (AP321)</p> <p>Records (56090)</p> <p>[3 years]</p>	<p>32. Copies of probation orders, Notification of probation,</p>	<p>32. Principal or designate Documents must be removed after 3 years has passed from expiry of court order.</p>	<p>Graduating high school student young offender's records must be transferred annually to the District records storage Facility.</p>	<p>Principal's Office or Counsellor Office</p>
<p>Child, Youth and Family Enhancement (56080)</p> <p>[27 years from Date of Birth]</p>	<p>33. Copies of Investigation Notes</p> <p>34. Child Disclosure Information</p> <p>35. Record of call to Child, Youth and Family Enhancement including name of caller and intake worker, the date and time of call.</p>	<p>33-35. Principal or designate Files may be kept in a combined folder.</p>	<p>Files must be transferred to the District records storage facility when student transfers out of District or graduates.</p>	<p>Principal's Office or Counsellor Office</p>
<p>Computer File PowerSchool</p>	<p>36. Extension of the cumulative record containing basic registration and demographic data. It may also contain course information, grades, assessment and attendance.</p>			<p>Information Services</p>

Transitory Records [Destroy]	37. Anecdotal Student - not used in program placement decisions	37. Teachers	Destroy Annually	Teacher's Office Principal's Office or Counsellor Office
Children and Youth Services [27 years from Date of Birth]	38. Reports	38. Counsellor or Principal	Files must be transferred to the District records storage facility when student transfers out of District or graduates.	Principal's Office or Counsellor Office