

STUDENT RECORDS

Background

HPSD shall establish and maintain student records at the highest standard of integrity for each student or child enrolled within its schools. Student records shall be used to promote the educational welfare of the student and shall be handled in confidence and with professional discretion.

Procedures

1. Maintenance and Storage

- 1.1. HPSP's schools are required to maintain a student record for each student registered.
- 1.2. The student record shall be maintained in the school and annually updated as required.
- 1.3. All records, printed and digital, must be stored in a secure manner and made available to professional staff and parents/guardians as appropriate.

2. Information Included in a Student Record

- 2.1. Schools shall use HPSP's Student Registration Form to gather information about a student.
- 2.2. The student record must contain all information collected and maintained by HPSP affecting the decisions made about the education of the student, in accordance with the *Student Record Regulation*.
- 2.3. The following information shall be included in the student record in accordance with the Student Record Regulation:
 - 2.3.1. A complete copy of the Student Registration,
 - 2.3.2. The student's or child's name
 - 2.3.2.1. as registered under the *Vital Statistics Act* if born in Alberta or;
 - 2.3.2.2. as registered under the legislation of the province or territory if the student was born in a province or territory of Canada other than Alberta or;
 - 2.3.2.3. as shown on documents under which the student was lawfully admitted to Canada;
 - 2.3.2.4. any other surnames by which the student is known,
 - 2.3.3. The student identification number assigned to the student by the Minister and any student identification number assigned to the student by a board,
 - 2.3.4. The name of the student's parent,
 - 2.3.5. Proof of guardianship of the student and any documents evidencing limits on the guardianship of the student,
 - 2.3.5.1. A copy of any separation agreement or court order
 - 2.3.6. The birth date of the student,
 - 2.3.7. The gender of the student,
 - 2.3.8. The addresses:
 - 2.3.8.1. The physical address of the student's primary residence
 - 2.3.8.2. The mailing address
 - 2.3.8.3. e-mail addresses and telephone numbers of the student and the student's parents,
 - 2.3.9. The Board of which the student is a resident student, except those children accepted into Early Childhood Services,
 - 2.3.10. Citizenship of the student and, if the student is not a Canadian citizen, the type of document by which the student is lawfully entitled to remain in Canada and the expiry date of that document,
 - 2.3.11. Names of all Alberta schools attended by the student and the dates of enrolment, if known, except for the names of any school in respect of which including the name of the school would be contrary to ensuring the safety of students or children and staff,
 - 2.3.12. An annual summary or a summary at the end of each semester of the student's achievement or progress in the courses and programs in which the student is enrolled,
 - 2.3.13. The results obtained by the student on any
 - 2.3.13.1. Provincial assessment established by the Minister;
 - 2.3.13.2. diagnostic test administered by HPSP; and

- 2.3.13.3. standardized tests under any testing program administered by HPSD to all or a large portion of the students or to a specific grade level of students,
- 2.3.14. Any accommodation or exemption in respect of a provincial assessment,
- 2.3.15. In relation to any formal intellectual, behavioural or emotional assessment or evaluation administered individually to the student by the board:
 - 2.3.15.1. the name of the assessment or evaluation;
 - 2.3.15.2. a summary of the results of the assessment or evaluation;
 - 2.3.15.3. the date of the assessment or evaluation;
 - 2.3.15.4. the name of the individual who administered the assessment or evaluation;
 - 2.3.15.5. any interpretive report relating to the assessment or evaluation; and
 - 2.3.15.6. any action taken as program planning as a result of the assessment, evaluation or interpretive report including the provision of specialized supports or services,
- 2.3.16. 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:
 - 2.3.16.1. the name of the assessment or evaluation;
 - 2.3.16.2. a summary of the results of the assessment or evaluation;
 - 2.3.16.3. the date of the assessment or evaluation;
 - 2.3.16.4. the name of the individual who administered the assessment or evaluation;
 - 2.3.16.5. any interpretive report relating to the assessment or evaluation; and
 - 2.3.16.6. any action taken as program planning as a result of the assessment, evaluation or interpretive report including the provision of specialized supports or services,
- 2.3.17. Any health information that the parents of the student or the student wishes to be placed on the student record,
- 2.3.18. An annual summary of the student's school attendance,
- 2.3.19. 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*, which must be recorded and retained on the student record for
 - 2.3.19.1. a period of three (3) years following the date of the suspension or expulsion after which the information must be removed from the student's record and destroyed in a manner that maintains the confidentiality of the student,
- 2.3.20. A notation if the parent of the student has the right to have the student receive primary and secondary school instruction in the French language under section 23 of the *Canadian Charter of Rights and Freedoms* and a notation to indicate whether the parent wishes to exercise that right,
- 2.3.21. A notation indicating whether the student is Status Indian/First Nations, Non-Status Indian/First Nations, Metis or Inuit if the parent of the student or the student wishes to provide information of aboriginal ancestry,
- 2.3.22. Individualized Program Plan (IPP) if specifically devised for a student for a school year,
 - 2.3.22.1. The plan and any amendments to the plan must be placed on the student record of that student in addition to summaries of all of the previous school years' individualized program plans.
- 2.3.23. HPSD requires:
 - 2.3.23.1. a copy of the student's birth certificate and, if applicable, change of name certificate if the student was born in Canada; or
 - 2.3.23.2. another official document acceptable to the Superintendent if the student was born outside of Canada; and
 - 2.3.23.3. a copy of the student's Canadian citizenship certificate or the document confirming the student is lawfully admitted to Canada for permanent or temporary residence.
- 2.4. The Superintendent shall ensure that the information referred to in this section is updated annually.

3. Information not Included in a Student Record

- 3.1. According to the Student Record Regulation, a student record must not include any information contained in

- 3.1.1. 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,
 - 3.1.2. a report or an investigation record relating to the student under the *Child, Youth and Family Enhancement Act*,
 - 3.1.3. counselling records relating to the student that are or may be personal, sensitive or embarrassing to the student, unless in the opinion of the Superintendent inclusion of the information in the student record would be
 - 3.1.3.1. in the public interest; or
 - 3.1.3.2. necessary to ensure the safety of students and staff,
 - 3.1.4. any information that identifies a student as a young person as defined in the *Youth Justice Act* or the *Youth Criminal Justice Act* (Canada) and all information relating to that student in that capacity,
 - 3.1.5. a test instrument (e.g. protocols) or any part of it relating to a test, examination or evaluation; however, in the case of an appeal relating to the test, examination, assessment or evaluation, the persons referred to in section 56(3) of the *Education Act* may review the test instrument as if it were part of the student record.
- 3.2. HPSD shall ensure that the information referred to in this section is disclosed only in accordance with the *Freedom of Information and Protection of Privacy Act*.

4. Retention of Student Records

- 4.1. Student records are to be retained by HPSD for a minimum of seven (7) years after the student ceases to attend a HPSD school.
- 4.2. If a student transfers from a HPSD school to a school outside Alberta, HPSD shall retain the student record for at least seven (7) years after the date the student would have been expected to complete grade 12 if the student had not transferred from the school.

5. Disposal and Destruction of Student Records

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

6. Access to Student Records

- 6.1. Access to the student record shall be granted in accordance with the *Student Record Regulation*, the *Education Act* the *Freedom of Information and Protection of Privacy Act*.
- 6.2. In accordance with section 56 of the *Education Act*, the following persons are entitled to review the student record:
 - 6.2.1. The student;
 - 6.2.2. The student's parent, except where the student is an independent student;
 - 6.2.3. The parent of a child enrolled in an early childhood services program.
- 6.3. Any review of the student record must be done by appointment and under the supervision of the Principal.
- 6.4. Any person entitled to review a student record may request a copy of the student record.

7. Disclosure of Information

- 7.1. The contents of a student record may be disclosed
 - 7.1.1. in accordance with sections 56 and 70 of the *Education Act*,
 - 7.1.2. to an employee of HPSD if the information is necessary for the performance of the duties of that employee,
 - 7.1.3. to the Minister if the information is necessary for the performance of duties by the Minister,
 - 7.1.4. with the written consent of:
 - 7.1.4.1. the parent if the student is under 16 years of age; or
 - 7.1.4.2. the student or the parent if the student is 16 years of age or older,
 - 7.1.5. in accordance with Student Record Regulation (section 8) concerning student or child transfer to another jurisdiction,
 - 7.1.6. in accordance with any other regulation under the *Education Act*,
 - 7.1.7. in accordance with the *Freedom of Information and Protection of Privacy Act*.

- 7.2. In accordance with the *Public Health Act*, a medical officer of health by notice in writing shall require the Superintendent to disclose to the medical officer of health for the purpose of contacting a parent or guardian of a student or child, or contacting an independent student, regarding voluntary health programs, including immunization, hearing, vision, speech and dental health programs, and for the purpose of communicable disease control, the following information:
- 7.2.1. The name, address, postal code, date of birth and sex, and the grade level, if applicable, of a student or child and the school, early childhood services program or child care program, as the case may be, attended by the student or child;
 - 7.2.2. The name, address, postal code, telephone number and electronic address
 - 7.2.2.1. of the parent or guardian of a child or a student; or
 - 7.2.2.2. of an independent student; and
 - 7.2.2.3. any other information prescribed in the regulations.
- 7.3. Information contained in a student record shall be disclosed to the Department of Justice and Solicitor General or its designate for the purpose of administering the *Youth Justice Act* or the *Youth Criminal Justice Act* (Canada) or carrying out any program or policy under either Act.
- 7.4. The Superintendent shall, at the written request of a Regional authority for a Francophone Education Region, disclose
- 7.4.1. the name, address, date of birth, sex and school of a student whose parent has been noted under section 2(1)(s) of the *Education Act* as being eligible to have the student taught in the French language pursuant to section 23 of the *Canadian Charter of Rights and Freedoms*; and
 - 7.4.2. the name, address and telephone number of the student's parent for the purpose of contacting the parent of the student and advocating for minority language education rights.
- 7.4.3. The Minister may also collect this information for the purpose of
- 7.4.3.1. disclosing the information to a board that is a Francophone regional authority for that board to contact the parent or the student and advocating for minority language educational rights; or
 - 7.4.3.2. accurately establishing the number of minority language educational right holders in Alberta.
- 7.5. When supervising a home education program for a non-resident student, HPSPD shall annually notify the student's resident board of
- 7.5.1. the student's name, address, date of birth, gender and school; and
 - 7.5.2. the name, address and telephone number of the student's parent to ensure that the resident board is aware that the student is attending school.

8. Student Transfer

- 8.1. If a student transfers from a school in Alberta to another school in Alberta, and the student record is not in electronic form, HPSPD shall, on receipt of a written request from that school to which the student transfers, send the original student record to that school.
- 8.2. If a student transfers to a school outside of Alberta, HPSPD will, on receipt of a written request from that school, send a **copy** of the student record containing the information referred to in (Section 2 - Information included in a Student Record), to that school.
- 8.3. The original student record shall be maintained in accordance with Section 4 - Retention of Student Records.

9. Compliance

- 9.1. The Superintendent shall be responsible for ensuring that the policies and procedures established by HPSPD comply with the *Student Record Regulation* and *Freedom of Information and Protection of Privacy Act* relating
 - 9.1.1. to student records; and
 - 9.1.2. to that information not to be included in the student record.

HPSD Forms:

320B - Student Records (Request and Authorization to Release Student's Records)

320C - Student Records (Record of Third Party Access)

320D - Student Registration Form (Registration form, FOIP consent forms, Legal Guardianship)

320E - First Nations and Metis Access to Records

References

Education Act

Student Records Regulation AR 97/2019

Home Education Regulation 89/2019

Freedom of Information and Protection of Privacy Act

Section 23, Canadian Charter of Rights and Freedom

Youth Justice Act

Youth Criminal Justice Act

Public Health Act