

administrative regulation

Administrative
Regulation No.
6024

Classification:
Students

Effective Date:
December 4, 2015

Student Records

1 | Purpose

The purpose of this Administrative Regulation is:

- To identify guidelines for maintaining all student information.
- To identify criteria for maintaining the Official Student Record.

2 | Scope

This Administrative Regulation applies to:

- All CBE employees who create, access or utilize student records and student information.

3 | Compliance

All employees are responsible for knowing, understanding and complying with this Administrative Regulation.

4 | Principles

The following principles apply:

- CBE Administrative Regulations, practices, and guidelines are based on the current *Alberta School Act*.
- Protecting the safety and security of student records and information is of paramount importance.
- CBE practices regarding student records and information provide for secure and confidential treatment of the information.

5 | Definitions

CBE: means The Calgary Board of Education.

Official Student Record: means all information affecting the decisions made about the education of the student enrolled with CBE that is collected and maintained by the CBE, as defined by the Student Record Regulation.

Parent: means parent or legal guardian or others as defined by the Act.

Personal information: means personal information as defined in the *Freedom of Information and Protection of Privacy Act*.

Resident student of CBE: as defined by section 44 of the *School Act* means

- a) a student whose parent physically resides within the geographical boundaries of the CBE, or
- b) an independent student that resides within the geographical boundaries of the CBE, and
- c) the faith of the parent or independent student is non - Catholic.

Student information: means all information regarding a student including but not limited to personal information, work samples, assessments, images stored and maintained in any format such as paper, digital, electronic or audio.

6 | Regulation Statement

Official Student Record

- 1) There is one Official Student Record for each student.
- 2) The Official Student Record must :
 - (a) be established for each student upon the student's initial registration at CBE;
 - (b) exist in paper format; and
 - (c) be maintained by the school in which the student is currently enrolled.
- 3) The Official Student Record must be labeled with the
 - (a) student's legal name;
 - (b) student's "also known as" name if one exists;
 - (c) student's CBE student identification number;
 - (d) student's identification number assigned by the Minister of Education; and
 - (e) student's date of birth.

Official Student Record Content

- 4) The Official Student Record must contain:
 - (a) all information affecting the decisions made about the education of the student;
 - (b) the student's legal 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;
 - (c) legal changes of name which have been made through legal procedures together with copies of validating documents;
 - (d) other given names and surnames which the student may be known by including "also known as" names;
 - (e) the student identification number assigned to the student by the Minister of Education and any student identification number assigned to the student by CBE;

- (f) the name of the student's parent;
- (g) the birth date of the student;
- (h) the sex of the student, as identified on the birth certificate;
- (i) the addresses and telephone numbers of the student and of the student's parent;
- (j) a copy of proof of guardianship, separation agreement, or court order respecting access to the student;
- (k) the board of which the student is a resident student;
- (l) the citizenship of the student and, if the student is not a Canadian citizen, the type of visa or other document which lawfully admits the student to Canada for permanent or temporary residence, and the expiry date of that visa or other document;
- (m) the names of all schools attended by the student in Alberta and the dates of enrolment, if known;
- (n) 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;
- (o) 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 to all or a large portion of the students or to a specific grade level of students;
- (p) the results of any application for accommodation or exemption from an examination or evaluation;
- (q) in relation to any formal intellectual, behavioural or emotional assessment or evaluation administered individually to the student by a 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 person 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 specialized supports or services;
- (r) any assessment or evaluation referred to in clause (p)(i-iv) or any interpretive report referred to in clause (p)(v) that the parent of the student or the student wishes to be placed on the student record,
- (s) any health information that the parent of the student or the student wishes to be placed on the student record;
- (t) an annual summary of the student's attendance at school;
- (u) information about any suspension or expulsion relating to the student or the student's rights under the Act which must be retained in the student record;
- i. for one year following the date of the suspension or expulsion, or
 - ii. until June 30 of the year following the year in which the suspension or expulsion occurred,
- whichever occurs last;
- (v) if the parent of the student is eligible to have the student taught in the French language pursuant to section 23 of the Canadian Charter of Rights and Freedoms, a notation to indicate that and a notation to indicate whether the parent wishes to exercise that right;
- (w) if an individualized program plan has been specifically designed for a student, the plan and any amendments to the plan.
- (x) A transfer log as identified in section 37.

**Official Student
Record
Exclusions**

- 5) An Official Student Record must not include:
- (a) any information contained in
- i. notes and observations prepared by and for the exclusive use of a teacher, education assistant, counsellor or principal, or other CBE employee, 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*; and
 - iii. counselling records relating to the student that are or may be personal, sensitive or embarrassing to the student, unless section 6 of this regulation applies; or

(b) any information that identifies a student as a young person as defined in the *Youth Criminal Justice Act* and all information relating to that student in that capacity.

Sensitive information

- 6) A principal may include in an Official Student Record documents as outlined in 5 (a)(iii) if , in the principal's opinion, it would be:
- a) in the public interest, or
 - b) necessary to ensure the safety of students and staff.

Change of Student name

- 7) If a parent wishes to register a student under a name other than the student's legal name, or wishes to change the student's legal name in CBE records, they must be informed that the name of student as recorded on the birth certificate or other formal documentation will be used on all official CBE records until a legal name change is presented in accordance with the Vital Statistics Act.

Maintenance of student information

- 8) All student information that exists will be maintained and destroyed in accordance with CBE Records Retention Guidelines.
- 9) All student information must be kept secure and confidential.
- 10) Official Student Records must be kept in locked storage or in a room that is not accessible to unauthorized persons.
- 11) Electronic student records must be protected through the use of access controls including security levels, passwords, encryption and other controls and procedures established by the CBE.

Access to student information

- 12) All student information is personal and confidential, and may only be disclosed in accordance with *the Freedom of Information and Protection of Privacy Act*, to
- (a) an employee or agent of CBE, if the information is necessary and relevant to a matter being dealt with by the employee or agent, acting in accordance with their duties;
 - (b) the student to whom the information pertains;
 - (c) the parent of the student to whom the information pertains, unless the student is an independent student;
 - (d) an individual with access or entitlement under a court order, unless the student is an independent status;
 - (e) the parent of an independent student, provided that written authorization granting access has been given by the independent student;

- (f) officers of a court under a subpoena, court order; or a search warrant;
- (g) the Department of Justice of the Government of Alberta or to its designate when requested by that Department 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;
- (h) the Minister of Education at the request of the Minister for the purpose of carrying out any program or regulation under the Minister's administration;
- (i) an individual, acting on behalf of the Minister responsible for the *Child, Youth and Family Enhancement Act*, when the information is necessary to plan or provide services to a child;
- (j) a school in accordance with the provisions for transfer of the Official Student Record in section 31 of this regulation.

13) A medical officer of health, as defined in the *Public Health Act* or designate, at their written request, may access

- (a) a student's name, address, date of birth, sex and school, and/or
- (b) the name, address and telephone number of the student's parent,

for the purpose of

- (c) contacting parents or guardians regarding voluntary health programs offered by the regional health authority, including immunization, hearing, vision, speech and dental health programs, and/or
- (d) communicable disease control.

Procedure for access

14) Prior to providing access to the Official Student Record, the record must be reviewed by the principal or designate to ensure:

- (a) compliance with this CBE Student Record Administrative Regulation;
- (b) compliance with the *Freedom of Information and Protection of Privacy Act*; and
- (c) no reference to personal information of others, is included in the Official Student Record.

- 15) The contents of the Official Student Record may be examined by persons who are entitled to do so as per section 12 or 13, on an appointment basis.
- 16) The appointment can be made at the location where the record is located or at another suitable location.
- 17) The principal or designate must always be present, in the room, when a record is being accessed by individuals other than authorized CBE employees.
- 18) A record must be kept at the school documenting occasions where information in the Official Student Record was accessed by anyone other than CBE employees including:
 - (a) date of access; and
 - (b) name of the person(s) accessing the Official Student Record
- 19) A person who is entitled to access an Official Student Record under section 12 of this administrative regulation may request a copy of the official record.
- 20) A request for copies of documents contained in the Official Student Record must
 - (a) be in writing;
 - (b) identify what is to be copied;
 - (c) name the recipient of the copy;
 - (d) include the written consent of the student or parent, if the recipient is other than the student or parent; and
 - (e) be placed in the Official Student Record.
- 21) Section 20 does not apply to authorized staff or agents of CBE acting in accordance with their duties.
- 22) In the event that the Official Student Record contains test results or an evaluation of a student that is given by a person who has a recognized expertise or training in respect of that test or evaluation, a person who is competent to explain and interpret the test result or evaluation must be made available to explain and interpret the test result, evaluation to the person accessing the Official Student Record, upon request.
- 23) Only information required to be in the Official Student Record, as outlined in this regulation, must remain in the Official Student Record.

**Interpreting
specialized
tests or
evaluations**

**Removing
information**

- 24) Information not identified in section 4 may be removed with consultation/guidance from Records Management.
 - 25) Information in the Official Student Record or other student information may only be removed or destroyed;
 - (a) in accordance with established Records Management Guidelines;
 - (b) with approval by the Chief Superintendent; or
 - (c) under the direction of the Minister of Education.
- Changes to student records**
- 26) If, on reviewing an Official Student Record, a person who is entitled to review the Official Student Record is of the opinion that the Official Student Record contains inaccurate or incomplete information, that person may request that the Official Student Record be changed.
 - 27) A request for correction or alteration of an Official Student Record must be made in writing.
 - 28) Information relating to the request for a change to the student record and the resolution of the request must be placed in the Official Student Record.
 - 29) Changes must not be made to professional opinions.
 - 30) Changes must be made to correct inaccurate factual information.
- Appeals**
- 31) A person who may review an Official Student Record may appeal a decision of an employee of CBE respecting access to or the accuracy or completeness of the student record through the CBE established appeal process.
- Transfer of CBE Official Student Record**
- 32) Parental consent is not required to transfer the Official Student records to another school within CBE or another jurisdiction inside or outside of Alberta.
 - 33) Requests to transfer Official Student Records must be in writing.
 - 34) The Official Student Record may only be transferred in accordance with this regulation.
- Transfer within Alberta**
- 35) If a student transfers from CBE to another school within Alberta, upon a written request from the receiving school, the principal or designate of the sending school must
 - (a) transfer the original student record to the receiving school as soon as possible, and
 - (b) keep a copy of the original student record for one year and

then send the Official Student Record to records management in accordance with records transmittal procedures.

Transfer outside of Alberta

- 36) If a student transfers from CBE to a school outside of Alberta, upon a written request from the receiving school, the principal or designate of the sending school must
- (a) transfer a copy of the student record to the receiving school as soon as possible, and
 - (b) keep the original record for one year from the date the student transfers and then send the Official Student Record to records management in accordance with records transmittal procedures.

Record Transfer Log

- 37) A school must keep a a log of the transfer of Official Student Record to other schools including:
- a) date of the transaction;
 - b) name of the persons, agencies or schools involved in the transaction; and
 - c) the written request for transfer.

Inactive Official Student Record

- 38) The Official Student Record is deemed to be inactive when the student does not attend a school or program at CBE.
- 39) An inactive Official Student Record must be retained by the last school or program attended by the student for one year following the date on which a student transfers to another jurisdiction, graduates or ceases to attend a school or program at the CBE.
- 40) After the one year period elapses, the principal or designate must send inactive Official Student Record to Corporate Records Management in accordance with CBE records transmittal procedures.
- 41) Inactive Official Student Records will be maintained in accordance with CBE Records Retention Guidelines.

Report cards

- 42) All student report cards must include
- a) the student's legal name; and
 - b) CBE student identification number; and
 - c) the student's "also known as" name if one exists; and
 - d) the student identification number assigned by the Minister of Education.

**Posting
student marks**

- 43) Student marks are confidential student information.
- 44) If student marks or grades are posted, they must be posted in a non-alphabetical, non-identifiable, random manner in order to be compliant with the provisions of the *Freedom of Information and Protection of Privacy Act*.

7 | History

Approval	December 4, 2015 January 5, 2000
Next Review	May 2019
Revision/Review Dates	February 22, 2002 May 18, 2005 December 2015

8 | Related Information

- *School Act*
- *Vital Statistics Act, c. V-4*
- *Freedom of Information and Protection of Privacy Act*
- Student Record Regulation AR 225/2006
- AR 6090 Student Registration
- AR 6000 Independent Students
- CBE Record Management Guidelines