



## **Student Records Policy With Administrative Procedures Vancouver Island School of Innovation and Inquiry**

**Note:** For the purpose of this policy, the *lead administrator* at VISII is the Principal.

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### **Student Records Requirements and Best Practices Policy**

#### **RATIONALE**

The purpose of this document is to define policy and to determine procedures for the collection of student information and its storage, use, disclosure, transfer, and protection.

Vancouver Island School of Innovation and Inquiry (“VISII” or “the school”) is committed to ensuring that student records are handled in accordance with all legal requirements and in a manner that is clear to its students and parents.

#### **POLICY**

The following policy statements are provided to inform all parties who collect, store, use, disclose, transfer, and protect student information.

The school will:

- Ensure that the lead administrator is responsible for the establishment, security, and maintenance of the Student Record and Student File (as defined in this policy) for each student registered in the school according to the procedures defined in this policy.
- Collect, use, or disclose personal information only with the consent of the individual student or legal guardian, unless otherwise authorized under PIPA.
- On or before collecting personal information, disclose to the individual student verbally or in writing the purposes for the collection of personal information.
- Collect, use, or disclose personal information only for purposes that a reasonable person would consider appropriate in the circumstances and that fulfill the purposes disclosed by the school or are otherwise permitted under PIPA.
- Secure Student Records and Student Files with access within the school authority

restricted to those individuals who, by the nature of their work, are required to have access to the information.

- Provide access to personal information about an individual student to the individual student (if capable of exercising PIPA rights), and to a parent or legal guardian of the individual student during school hours and under the supervision of the lead administrator or designate.
- Subject to legal requirements, ensure that personal information will be retained only for the period of time required to fulfill the purpose for which it was collected.
- Inform parents that concerns, complaints, and questions about personal information handling policies and practices of the school authority may be directed to the school's Principal.

## **DEFINITIONS AND STUDENT RECORD COMPONENTS**

A student record will contain the following:

- The *Permanent Student Record* (PSR), as defined in the Student Records Order (I 1/07)
  - *Form 1704, PSB 048* (revised 1997) completed according to the current Permanent Student Record Instructions requirements; and
  - *Student Progress Reports* for the two most recent years or an official transcript of grades;
- All documents listed as inclusions on Form 1704 (see below);
- *Registration Form*, verifying information about the student's parent or guardian in respect of student's eligibility for funding;
- A copy of the student's current *Student Learning Plan*, if any; and
- A copy of the student's current *Individual Education Plan* (IEP), if applicable.

### **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, noting date entered, title, and expiry/rescinded date (if applicable). If the space for inclusions becomes full, it may be necessary to create a second portion and attach it to the form for future additions. Documents listed as Permanent Student Record inclusions 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.

The following inclusions must be listed on Form 1704, including date rescinded (if applicable), and copies of the documents listed must be filed with the PSR:

- Health Services information as indicated by the medical alert checkbox, such as diabetes, epilepsy, anaphylaxis producing allergies, blood clotting disorders, and serious heart conditions, and any other condition which may require emergency care;
- Court orders as indicated by the legal alert checkbox (see Form 1704) or their rescinding date if applicable;
- Other legal documents, e.g. name change or immigration document;

- Support services information (e.g. psychometric testing, speech and hearing tests, adjudication requirements for completing assessment activities)
- Current IEP and/or Case Management Plan (CMP) where applicable; and
- Notification of a student being homeschooled.

The following inclusions may be listed on PSR Form 1704, including document date, title and expiry date or date rescinded (if applicable) and if listed, copies of the documents must be filed with the PSR:

- 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).
- Documents included in special education file, including but not limited to:
  - Serious discipline reports (e.g. copies of letters to parents/guardians regarding discipline matters and corrective actions taken);
  - Copies of notes from important meetings/discussions relating to the student; and
  - Standardized test scores, records of information which an educator deems relevant and important to the educational program of the student, and award information IF NOT listed as inclusions on the PSR.

Note: If the school 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 school may wish to acquire specific consent for these optional items to be included.

If the school chooses not to include the previous optional items on Form 1704 as a PSR inclusion, it may include them as additional Student Record items (see 3.3 – Additional Student Record Items) but should take note that these items are then NOT part of the Permanent Student Record.

### **Additional Student Record Items**

Aside from the Permanent Student Record, there are other items which must (see “Required Items” below) or may (see “Optional Items” below) be included in the school’s student records.

#### 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:

- Legal name of child – verify the original and file a photocopy or scanned copy of birth certificate or similar legitimate identification document;
- Official name(s) of parent(s) or guardian(s) with home and work contact information; and
- document verifying the information about the student’s parent or guardian in respect of students eligible for funding;

### Optional Items

- Care Card number;
- Emergency contact numbers;
- Doctor's name and contact information, where available;
- allergies, medication, and/or other health concerns (other than those required to be listed under medical alerts);
- Previous Student Progress Reports (other than the two most recent years required in the PSR);
- serious student discipline reports (e.g., copies of letters to parents/guardians regarding discipline matters and corrective actions taken); and
- reports of important meetings/discussions relating to the student.

### **Sensitive Student Information**

This may include information which by its nature requires that school staff who have access observe a high level of confidentiality. Examples include:

- Psychiatric reports;
- Family assessments;
- Referrals to or reports from school arranged counselling services; or
- Record of a school-initiated report of alleged sexual or physical abuse made to a Child Protection Social Worker under Section 14 of the *Child, Family and Community Service Act*.

Sensitive Student Information will be kept in a secure protected file location by the lead administrator.

### **PROCEDURES**

The lead administrator or designate will be responsible for overseeing that the following occurs:

- Updating the PSR Form 1704 as information changes and the student progresses through the system;
- Ensuring that any electronic copies of documents are stored on a server or external hard drive, and/or optical medium in a physically secure location. If information is accessed through the Internet, an encrypted connection (<https://>) must be established before authenticating. Access is restricted to those employees who, by the nature of their work, are required to have access; and
- Ensuring that the school authority takes necessary precautions to safeguard against vulnerable or obsolete forms of storage. The electronic storage of PSRs and other personal information will be accompanied by an adequate backup and recovery strategy for potential hardware failure and/or database corruption.

## **Student Records and Student File Retention**

### Student Records – Active Students

- Student Records (paper originals) are locked in cabinets. Access is restricted to those employees who, by the nature of their work, are required to have access.
- The school authority protects personal information from unauthorized access, collection, use, disclosure, copying, modification, or disposal, or similar risks. Procedures for such protection are outlined below.
- The lead administrator or designate will regularly review Student Records to ensure that the information is current and complies with legal requirements.

*Required inclusions must be listed on the PSR – see above*

### Student Records – Inactive Students

- Unless another school requests a Student Record (see below), the school authority archives Student Records for 55 years after a student has withdrawn and not enrolled in another Pre-K to grade 8 school, or graduated from the school.
- The archived Student Records are stored securely and in a manner that ensures their preservation from calamity (fire, flood, etc.) Access is limited to the lead administrator or designate.
- The designated records clerk keeps a record of Student Records that are destroyed after 55 years.

### Student Files – Active Students

- Student Files are locked in a fireproof cabinet. Access is restricted to those employees who, by the nature of their work, are required to have access.
- The school authority protects personal information from unauthorized access, collection, use, disclosure, copying, modification, or disposal, or similar risks. Procedures for such protection are outlined below.
- The lead administrator or designate will review regularly Student Files to ensure that the information is relevant and important to the educational program of the student

### Student Files – Inactive Students

- The school authority archives Student Records for 55 years after the student has withdrawn and not enrolled in another K-12 school, or graduated from the school.
- The archived Student Records are stored securely and in a manner that ensures their preservation from calamity (fire, flood, etc.) Access is limited to the administration or designate.
- The lead administrator or designate is responsible for determining the relevance of the contents in Student Records before being archived.

### Currency of Student Records

Student eligibility information will be updated using student registration forms.

As stated above, the lead administrator or designate will regularly review Student Records and Student Files to ensure that the information is current and complies with legal requirements.

## Security of Student Information Off Campus

The lead administrator is responsible for ensuring that in cases where it is necessary that personal information be taken off campus that it is safely stored and that personal information is protected. This includes off-site backup of information.

## Handling of Sensitive Student Information

Access to Sensitive Student Information is restricted to the lead administrator or a person or persons authorized by the lead administrator to access such information defined in this policy.

In cases where a parent chooses to do psychometric, psychological, or psychiatric testing of a child privately, the decision to share results with the school or to include them in the appropriate record or file remains with the parent, unless the documentation is required as supporting material for VISII's application to the Ministry for special education funding for the child. All documents received will be stored in the appropriate place in the student's records.

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

- examine all student records kept by a school pertaining to that student, while accompanied by the principal or a person designated by the principal to interpret the records;
- receive a copy of any student record

In addition to parents/guardians and those students capable of exercising PIPA rights, access to student records should only be granted, upon assurance of confidentiality, to:

- professionals who are planning for, or delivering, education, health, social, or other support services to that student (consent not required for record access);
- school authority's insurer to defend any claim/potential claim (consent for record access required).

When student records are disclosed to professionals outside of VISII, the professional/insurer will need to complete a form stating their contact information and that they will:

- maintain privacy of the student and the student's family with respect to matters disclosed in the record;
- not use or disclose the information in the student record except for the specific purposes for which the information is provided.

Sensitive Student Information will only be disclosed or transferred in accordance with the law.

The lead administrator is responsible for ensuring that school initiated reports under section 14 of the *Child, Family and Community Service Act* are retained only for the purpose of child protection proceedings and that information is not disclosed to third parties or transferred to other schools. Such reports are strictly confidential and should be stored where only the lead administrator or designate can access them.

## **Use of Student Personal Information**

The school authority may use an individual student's personal information for the following purposes, assuming that the school has disclosed such purposes to the individual student

verbally or in writing on or before collecting the personal information:

- To communicate with the student and/or the student's parent or legal guardian, to process a student's application, and to provide a student with the educational services and co-curricular programs provided by the school authority.
- To enable the authority to operate its administrative function, including payment of fees and maintenance of ancillary school programs such as parent voluntary groups and fundraising activities.
- To provide specialized services in areas of health, psychological, or legal support, or as adjunct information in delivering educational services that are in the best interests of the student.

### **Access to and Disclosure of Student Records**

- Access to a Student Record or Student File will be granted to professionals who are planning for or delivering education, health, social, or other support services to that student only upon assurance of confidentiality (with consent). Consent will be obtained in writing, listing the name and date of birth of the student, the name and signature of the parent/guardian, and the date of the request.
- In the case of a request for personal student information from separated or divorced parents, the school authority will be guided by the legal custody agreement, a copy of which should be provided to the lead administrator. In cases where the lead administrator is unsure if the non-custodial parent is entitled to access personal student information, the school's legal counsel will be consulted for a recommendation.

### **Transfer of Student Records**

- On receipt of a request for student records from a school, a Board of Education, or an independent school authority from within British Columbia where the student is (or will be) enrolled, the school authority will transfer that student's PSR (including declared inclusions), the current Student Learning Plan (if any), and the current IEP (if any) to the requesting institution. The school authority will retain a copy of the PSR, indicating the school where the records have been sent and the date of the student record transfer.
- If the requesting institution is outside British Columbia, a photocopy of the PSR will be sent (including declared inclusions), along with the current Student Learning Plan (if any), and the current IEP (if any).
- Requests for a student's record from a public school require that the public school administration provide a copy of the PSR (including declared inclusions) and current Student Learning Plan (if applicable) and IEP (if applicable) to the independent school authority. The original PSR must be retained by the public school.
- The school authority will only transfer sensitive, confidential information (e.g. standardized tests) after dated and signed parent/guardian consent has been obtained. All elements that are listed as required inclusions on the PSR will be transferred, and do not require parental consent.

- The school authority will not transfer a record of a Section 14 *Child, Family and Community Service Act* report made to a child protection social worker of alleged sexual or physical abuse.
- A summary of a former student's school progress may be provided to prospective employers, at the written request of a former student. The school authority reserves the right to assess a fee for this service.
- A Student Record will be reviewed when a student transfers. The lead administrator or Special Education designate will ensure that the documents listed as inclusions are still required inclusions (eg. not expired or rescinded) or still deemed to be relevant and important to the educational program of the student. Expired, rescinded, or irrelevant inclusions will be removed from the Student Record and the documents themselves will be destroyed. Only the required elements of the PSR will be maintained.
- If VISII closes, the school authority (EES) 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. Finally, 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 (See School Closure Policy).

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Epiphyte Educational Society

Adopted: 2021-12-08

Revised: 2021-12-05