

**MOOSE FACTORY ISLAND
DISTRICT SCHOOL AREA BOARD**

ADMINISTRATIVE PROCEDURE NO. 310	
Effective	
Revision Date	

**PERSONAL INFORMATION OF STUDENTS,
INCLUDING O.S.R. INFORMATION**

PURPOSE

This administrative procedure supports the Moose Factory Island District School Area Board in fulfilling its obligations regarding the protection of and access to personal information of its students.

PROCEDURES

1. General Procedures

- 1.1. The Board will maintain the confidentiality of personal information pertaining to its students, subject to powers of the courts to compel the production of such documents.
- 1.2. Personal information may only be obtained as authorized in the *Education Act* and used for the specific purposes for which it is gathered. The management and safekeeping of such information is the responsibility of each designated employee.
- 1.3. Confidentiality must be protected by each employee who is authorized to have access to this information for purposes such as personal education program management, the provision of various educational services, or administrative maintenance of the files.
- 1.4. Access to and/or copies of a student's personal information can be gained upon appointment with the principal during normal hours and is available to:
 - a) all students;
 - b) the parents of a student until the student becomes an adult (age eighteen); [Under both the *Children's Law Reform Act* and the *Divorce Act, 1985*, a non-custodial parent with the legal right to access to a child also has the right to make inquiries and be given information concerning the child's health, education, and welfare.]
 - c) the parent(s) or guardian(s) of a student who is 16 or older, with the specific written consent of the student, if the student has withdrawn from parental control;
 - d) the agent of a student who is 16 or older, with the specific written consent of the student;
 - e) supervisory officers, the principal, and teachers of the student;
 - f) paraprofessionals with written consent from the 16 year old or older student or the parent(s) guardian(s) of a student who is not 16 or older;

- g) designated school office staff for administrative purposes only; and
 - h) central administrative staff involved in the administration of a student's records, microfilming program, or any other records retention program.
- 1.5. Each file shall be maintained in a confidential manner and shall contain a record of those employees who have had access to it, if they required written consent to have access.
- 1.6. The *Education Act* permits the compiling and delivery of information contained in an OSR if it is required by the Minister of Education or the school Board. Any such information on students shall be provided to the members of the Board only through the Secretary of the Board, if required as part of the trustee's decision-making function. Any information provided shall be supplied strictly in accordance with the *Education Act* and the OSR Guideline.
- 1.7. Any personal information of a student that is no longer required for administrative purposes and its retention is not regulated by any statute, may be destroyed in a confidential manner (i.e. shredding).
- 1.8. For the implementation of this policy, *A Guide to Ontario Legislation Covering the Release of Students' Personal Information* will be strictly followed.

2. Applications for Access to Information

- 2.1. The following procedures govern the management of formal applications for access to personal information of Ministik School students made under the *Education Act* or the *Municipal Freedom of Information and Protection of Privacy Act* and fulfill Board obligations under these Acts.
- a) All requests for access to personal information of a student of the Board, made under the *Education Act*, will be forwarded to the principal's office.
 - b) Any written applications for access to personal information of a student, made under the *Municipal Freedom of Information and Protection of Privacy Act*, will in the first instance be passed to the Secretary of the Board for verification and then returned to the school for response. A copy of all the pertinent documentation produced as a response will be sent to the Secretary of the Board.
 - c) Access to or release of personal information of a student may be granted for compassionate, health, or safety reasons without the written consent of either the student who is 16 or older or the parent(s) or guardian(s) of a student who is not 16 or older. While it is appropriate to recognize that personal information is protected by Ontario's privacy and access laws, it is also important to realize that these protections are not intended to stand in the way of the disclosure of vital—and in some cases, life-saving—information in emergency or other urgent situations.
 - d) The decision for authorizing the board-to-board transfer of an O.S.R. or a copy of its information will be made by the principal as stipulated in the Ontario Student Record Guideline.

- e) An individual whose request for access to a student's O.S.R., made under the *Education Act*, is denied shall be advised of the right and process of appeal.
- f) Any written application for access to a student's O.S.R., made under the *Freedom of Information and Protection of Privacy Act*, that is denied shall, as soon as possible, be directed to the Secretary of the Board prior to release to the individual who made the request. A documented reason for the denial will accompany the access request. The documentation shall be reviewed and the individual who made the request shall be notified in writing of the decision and of the right and process of appeal.

REFERENCE DOCUMENTS

Legal References:

Education Act, section 266 Pupil Records
Municipal Freedom of Information and Protection of Privacy Act
Ontario Student Record (OSR) Guideline

Resource:

A Guide to Ontario Legislation Covering the Release of Students' Personal Information.
Revised June 2011.
<http://www.ipc.on.ca/images/Resources/educate-e.pdf>