
STUDENT RECORDS

Background

Well-maintained student records are essential to the provision of effective educational programs for students. The Division, therefore, requires that student records be maintained in the school pursuant to the Education Act and Student Record Regulation Act.

Procedures

1. Student records will be maintained for every child enrolled in the Division in an Alberta Education Student Record Portfolio.

1.1 The student record will contain all information that may affect the decisions made about the education of the student, including:

1.1.1 Identification data:

1.1.1.1 The student's name as registered under the Vital Statistics Act, as identified by means of the student's birth certificate if the student was born in Canada or another official document acceptable to the Division if the student was born outside of Canada, and any other surnames by which the student is known;

1.1.1.2 The student identification number assigned by the Minister and any other student identification number assigned to the student by the Division;

1.1.1.3 The name of the student's parent(s);

1.1.1.4 Any documentation relating to access to the student under section 56 of the Education Act

1.1.1.5 The birth date of the student;

1.1.1.6 The gender of the student;

1.1.1.7 The addresses and telephone numbers of the student and of the student's parent(s);

1.1.2 The citizenship of the student and, if the student is not a Canadian citizen, the type of visa held by the student and its expiry date;

1.1.3 An annual or semester summary of the student's achievement or progress in the courses and programs in which the student is enrolled;

1.1.4 The results obtained by the student on any:

1.1.4.1 Diagnostic test, achievement test and diploma examination conducted by or on behalf of the Province;

1.1.4.2 Application under the Student Evaluation Regulation (AR 177/2003) for special provisions or directives; and

- 1.1.4.3 Standardized tests under any testing program administered by the Division to all or a large portion of the students or to a specific grade level of students.
- 1.1.5 Information regarding any individually administered formal intellectual, behavioural or emotional assessment or evaluation of the student provided by the Division including:
 - 1.1.5.1 The name of any individually administered intellectual, behavioural or emotional assessment or evaluation of the student;
 - 1.1.5.2 The summary of the results of the assessment or evaluation;
 - 1.1.5.3 The date of the assessment or evaluation, and the name of the person who conducted the assessment or evaluation;
 - 1.1.5.4 Any interpretive report relating to the student; and
 - 1.1.5.5 Any action taken such as program planning as a result of the assessment or evaluation or interpretive report.
- 1.1.6 Any health information and interpretive reports of individually administered formal intellectual, behavioural or emotional assessment or evaluation of the student that the parent of the student or the student wishes to be placed on the student record;
- 1.1.7 An annual or semester summary of the student's school attendance, and any information relating to suspensions and expulsions under section 56 of the Education Act which will be retained for at least one (1) year;
- 1.1.8 The Division of which the student is a resident student;
- 1.1.9 The names of all schools attended by the student in Alberta and the dates of enrollment, if known;
- 1.1.10 A notation to indicate that the parent of the student is eligible to have his children taught in the French language pursuant to Section 23 of the Canadian Charter of Rights and Freedoms, and a notation to indicate whether the parent wishes to exercise that right;
- 1.1.11 A copy of an Individual Support Plan (ISP) that is specifically devised for a student together with all the amendments; and,
- 1.1.12 The Division may include in the student record any information referred to in clause 1.2.2 that in the Superintendent's opinion would be clearly injurious to the student if disclosed, where inclusion of the information in the student record would, in the Superintendent's opinion, be:
 - 1.1.12.1 In the public interest; or
 - 1.1.12.2 Necessary to ensure the safety of students and staff.

The inclusion of any information in the student record under this subsection will be made only with the permission of the Superintendent.
- 1.2 The student record will not include:
 - 1.2.1 Originals or copies of test instruments or parts of such test instruments;
 - 1.2.2 Any information contained in counselling records relating to the student that is or may be personal, sensitive or embarrassing to the student, unless clause 1.1.12 applies;

- 1.2.3 Any information contained in notes and observations that are prepared by and for the exclusive use of a teacher, teacher's assistant, counsellor or Principal, and are not used in program placement decisions;
 - 1.2.4 Any information contained in a report or an investigation record relating to the student under the Child, Youth and Family Enhancement Act; and
 - 1.2.5 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.
2. Student records will be stored in a secure manner.
3. Student records will be accessible only to personnel involved in making decisions about the education of a student as identified by the Principal and individuals identified in Section 56 of the Education Act.
- 3.1 The parent, the student, and any other person who has access to the student under a separation agreement or an order of a court will, at the time when the request is made, be informed of their entitlement under Section 56 of the Education Act to review a student record.
 - 3.2 A student record may be reviewed pursuant to Section 56 of the Education Act by:
 - 3.2.1 The student;
 - 3.2.2 The student's parent, except where the student is an independent student;
 - 3.2.3 A person who has access to the student under a separation agreement or an order of the court.
 - 3.3 Where a student record contains:
 - 3.3.1 A test, a test result 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; or
 - 3.3.2 Information relating to a test, test result or evaluation referred to in clause 3.3.1, the individuals referred to in clause 3.1 are entitled;
 - 3.3.2.1 To view that test, test result, evaluation or information; and
 - 3.3.2.2 To receive from a person who is competent to explain and interpret it an explanation and interpretation of the test, test result, evaluation or information.
 - 3.4 If the person identified under clause 3.2 requests the aid of a person identified under clause 3.3.2.2, the principal will ensure that a person competent to explain and interpret the test, test result, evaluation or information is available to explain that test, test result, evaluation or information.
 - 3.5 The principal may refuse to disclose information about the student if, in the opinion of a physician, a chartered psychologist or a psychiatrist or any other appropriate expert depending on the circumstances of the case, the disclosure could reasonably be expected to result in immediate and grave harm to the student's health or safety.
 - 3.6 The principal may refuse to disclose information about the student if the disclosure could reasonably be expected to:
 - 3.6.1 Threaten anyone else's safety or mental or physical health; or

- 3.6.2 Interfere with public safety.
- 3.7 The principal will ensure that the contents of the student record are disclosed in accordance with the Freedom of Information and Protection of Privacy Act (FOIP) or the following:
 - 3.7.1 In accordance with Sections 56 of the Education Act;
 - 3.7.2 To a staff member or agent of the Board if the information is necessary and relevant to a matter being dealt with by the staff member or agent.
 - 3.7.2.1 The principal will determine the persons who qualify as requiring access to the student record.
 - 3.7.2.2 The Minister may require that the Board disclose all or a portion of the information contained in a student record for the purposes of carrying out any program or policy under the Minister's administration.
 - 3.7.3 To 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;
 - 3.7.4 At the written request of a Medical Officer of Health as defined in the Public Health Act or designate, the student's name, address, date of birth, sex, grade, the name of the student's parent, address and telephone number, for the purpose of communicable disease control or for the purpose of contacting parents regarding voluntary programs which require screening from the Medical Officer of Health, including immunization, hearing and vision screening, and dental health programs;
 - 3.7.5 In accordance with student transfer regulations;
 - 3.7.6 Where required by law pursuant to a court order, subpoena, warrant or other appropriate legal document.
- 3.8 The principal will ensure that information referred to in clause 1.1 is disclosed in accordance with the provisions of the Freedom of Information and Protection of Privacy Act.
- 4. Student records will be reviewed annually.
 - 4.1 The student record will be reviewed annually to ensure that all entries are up to date and all relevant and necessary enclosures are included.
 - 4.2 Where, on examining a student record, a person is of the opinion that the student record contains inaccurate or incomplete information, that person may apply to the principal, in writing, to have the matter rectified.
 - 4.3 The principal, on receiving a written request for the removal or modification of information contained in a student record, will make a ruling.
 - 4.4 Individuals making a request for the removal or modification of information contained in a student record have the right to appeal the principal's decision under the provisions of Administrative Procedure 390 – Appeals Concerning Student Matters.
- 5. Student records will be transferred to the school attended by the student in accordance with Alberta Education regulations.

- 5.1 If a student transfers to another school within the Division, the student record will be forwarded, at the request of the Principal, to the receiving school.
 - 5.2 If a student transfers to another school within Alberta, the student record will be forwarded upon receipt of a written request from the Principal of the receiving school.
 - 5.3 If a student transfers to a school outside Alberta, the school from which the student has transferred may, upon receiving a written request from the principal of the receiving school, send a copy of the student record.
6. Student records will be retained in accordance with Alberta Education regulations.
- 6.1 A student record will be kept for at least seven (7) years after the student ceases to attend a school operated by the Division or until the record has been forwarded to another school in Alberta.
 - 6.2 When a student transfers to a school outside Alberta, the student record will be kept for seven (7) years after the date the student could be expected to have completed Grade 12, if the student had not transferred from the school.
 - 6.3 When a student record has been kept for the required amount of time it will be destroyed.

Reference: Section 9,11,18,32,33,36,37,52,53,56,68,70,197,222 Education Act
Child, Youth and Family Enhancement Act
Section 6, 16, 17, 32, 33, 34, 35, 36, 37, 38 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 Freedom
Youth Criminal Justice Act
Freedom of Information and Protection of Privacy Regulation 200/95
Student Evaluation Regulation 177/2003 Student Record Regulation 71/99

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