

# STUDENT RECORDS

## Background

The Division has the responsibility for maintaining appropriate records necessary for the education of students, for program placement, for verifying attendance and historical claims.

School Administrator(s) shall be responsible for ensuring that staff members follow the provisions of the School Act, Alberta Education Regulation 170\2012 and this administrative procedure for student records held in the school.

A student record shall consist of all information that affects the decisions made about the education of the student that is collected or maintained by the Division, regardless of the manner in which it is maintained or stored. Such records shall be in accordance with current Regulations of Alberta Education. In addition, the following shall apply to schools in the Division.

## Procedures

1. Information that is kept on student records and released to other educational institutions shall be in accordance with Alberta Education regulations.
2. Information on student records is to be treated as confidential by staff members. Student records shall be stored in such a manner that this confidentiality is maintained.
3. Information on student records may be released to certified professionals who have a bona fide interest in furthering the education of the student. Parental approval is to be obtained in advance, wherever possible.
4. A student record shall be maintained for each student of the Division. Information about a student and the student's family shall be kept current and shall include only that which is useful to the school in the proper education of the student. A student registration form (Form 320-1) must be collected for each student at the beginning of each school year.
5. Each school shall have a satisfactory method for the safekeeping of student records. All student records, when not in use, shall be kept secure.
6. Transfers of records to schools elsewhere in Alberta, and outside the province, shall be in accordance with Alberta Education Regulation 170\2012.
7. When a student transfers into a Division school from another school division, the student's records need to be requested from the previous school (Form 320-2 "Student Records Request").
8. If a student transfers to another school within the Division, the student record portfolio shall be transferred to the receiving school as soon as possible.

9. If a student transfers within the Division or to another school division within Alberta, Alberta Education School Finance requires that documentation supporting the student's eligibility as a funded student/funded child be retained for seven years. Accordingly, prior to forwarding the student record, please retain copies of documentation that substantiates the age, citizenship, and residency of the student. The documentation may be needed for the annual audit conducted by Alberta Education School Finance.
10. Attendance-recording documents are the property of the Division. They shall be stored at the school and thereafter destroyed as follows:
  - 10.1 Student Records shall be stored at the school until outdated as follows:
    - 10.1.1 Subject to subsection (3) of Alberta Regulation 170\2012, student records containing the information referred to in section (2) of the AR 170\2012, shall be kept for at least seven years after the student ceases to attend a school operated by the Division or until the record has been forwarded to another school in accordance with section (8) of AR 170\2012.
    - 10.1.2 If a student transfers from a school in Alberta to a school outside Alberta, the school in the Division from which the student transferred shall keep the student record containing the information referred to in section (2) of the Alberta Regulation 170\2012 for at least seven years after the date the student could be expected to have completed grade 12 if the student had not transferred from the school.
  - 10.2 When a student record has been retained for the required amount of time, it should be disposed of in a manner that maintains the confidential nature of the information.
11. Parents and students shall be notified of the right of access to student records. The following statement shall appear on all registration forms of students attending schools in the Division:

*Under Section 23 of the School Act, students/parents are entitled to review their child's/children's student records. The record, if still in the possession of the Division after the student's twenty-fifth birthday, shall be destroyed.*
12. School Administrator(s) shall be responsible for ensuring that staff members follow the provisions of this administrative procedure for student records held in the school.
13. Maintenance of Records
  - 13.1 Each School Administrator(s), or designate is responsible for record maintenance and access within her/his building. Records may be kept in one or more of three ways:
    - 13.1.1 Basic Information - represents the minimum personal data necessary for the operation of the Division, or as required by Alberta Education. Such records would be available to all professional staff, and would be updated periodically.
    - 13.1.2 Extended Information - consists of potentially useful information which goes beyond the basic requirements of record keeping. It may include such items as psychological or other assessments, probation or court reports, etc. This data shall be kept in a separate, secured file. Access is limited to those requiring this information in direct interaction with the student.
    - 13.1.3 Suspensions or Expulsions – in accordance with Section 2 (l)(r) of AR 170\2012 Information about any suspension of more than one day or expulsion

of a student or a student's rights must be recorded and retained for not less than one year and not more than three years at which time the information MUST be removed from the student's record.

13.2 Certain records such as standardized test results, achievement test results, etc., that are used in program planning, may be kept separately. However, such records shall be made available to parents/students in accordance with this administrative procedure.

13.3 The Principal is held responsible for ensuring that all records are accurate and up to date. This may be delegated.

#### 14. Divorced/Separated Families Release of Information

14.1 Unless a court order states otherwise, a person granted access to a student has the right to make inquiries, and to be given information on the education of the student.

14.2 Prior to the release of information, the School Administrator(s) should indicate to the parent having custody of the student that the School Administrator(s) has no right to withhold information unless a court order can be produced which restricts the right to records.

14.3 If the parent having custody disputes the School Administrator(s) position, the parent is to be directed to appeal in writing to the Superintendent or the courts.

14.4 A student's legal name must not be changed on school records unless parents agree to the change, or legal authority is granted. The onus shall be on the custodial parent to provide this information.

15. When a student of legal age and/or his/her parents have reviewed the student records, and finds information to be invalid or record keeping procedures unsatisfactory, they may appeal to the Superintendent and/or Board. If no satisfaction is received, a further appeal may be made to the Minister of Education.

Reference: Section 15, 23, 39, 40, 41, 43, 60, 61, 113 School Act  
Student Record Regulation 170\2012  
Child Welfare Act  
Section 6, 16, 17, 32, 33, 34, 35, 36, 37, 38 Freedom of Information and Protection of Privacy Act  
Freedom of Information and Protection of Privacy Regulation 200/95  
Public Health Act  
Social Development Act  
Vital Statistics Act  
Section 23, Canadian Charter of Rights and Freedom  
Youth Justice Act  
Youth Criminal Justice Act

Forms: 320-1 Student Registration  
320-2 Student Records Request

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