Student Records Requirements and Best Practices Policy

> Note: For the purpose of this policy, the lead administrators in Heritage Christian Online School (HCOS) are the Head of Schools and Chief Operating Officer.

Introduction

Independent school authorities are well served by policies and practices regarding student records. Such policies and practices will benefit independent school students, parents, office staff, administrators, and authorities by providing guidance for the collection of information and its storage, use, transfer, and protection. Legal and public expectations regarding the confidentiality, disclosure and transfer of school student records are increasing, as are societal concerns regarding school record keeping and storage.

The legal framework for the development of this Student Records Requirements and Best Practices Policy is provided by Section 6.1 of the Independent School Act, Sections 9 and 10 of the Independent School Regulation (the Regulation), the Student Records Order (I 1/07) (the Order), and the Personal Information Protection Act (PIPA). Section 9(2) of the Regulation obliges independent school authorities to, subject to the requirements of the Order, (a) establish written procedures regarding the storage, retrieval and appropriate use of student records, and (b) ensure confidentiality of the information contained in the student records and ensure privacy for students and their families.

In addition to the above, the Office of the Inspector of Independent Schools and FISA BC have collaborated in producing the Student Records Requirements and Best Practice Guidelines for Independent Schools, Ministry of Education, June, 2012, which serves as a guide for independent school policy development in this area.

The school authority may add, modify, or remove portions of Heritage Christian Online School's (HCOS) Student Records Requirements and Best Practices Policy when it is considered appropriate to do so, if it is not in conflict with legal requirements and government policy.

HCOS is committed to ensuring that student records are handled in accordance with all legal requirements.

Purpose

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.

1. Policy Statements

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

HCOS will:

1.1 Ensure that a 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.

1.2 Only collect, use or disclose personal information with the consent of the individual student or legal guardian, unless otherwise authorized under PIPA.

1.3 On or before collecting personal information, disclose to the individual student verbally or in writing the purposes for the collection of personal information.

1.4 Only collect, use or disclose personal information 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.

1.5 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.

1.6 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.

1.7 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.

1.8 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 Privacy Officer by calling the school office.

2. Definitions and Student Record Components

2.1 Elements of the Student Record

1. The Permanent Student Record (PSR), as defined in the Students Records Order (I 1/07):
   - Form 1704, PSB 048 (revised 1997) completed according to the Permanent Student Record Instructions that are effective at the time of completion; and
   - Student Progress Reports for the two most recent years or an official transcript of grades;
2. All documents listed as inclusions on Form 1704 (see 2.2 below);

3. Form A, verifying the information about the student's parent or guardian in respect of students eligible for funding (see Appendix I);
4. A copy of the student's current Student Learning Plan, if any; and
5. A copy of the student's current Individual Education Plan (IEP), if any.

2.2 Permanent Student Record (Form 1704) Inclusions

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

1. Health Services information as indicated by the medical alert checkbox, such as diabetes, epilepsy, anaphylaxis producing allergies, and any other condition which may require emergency care;
2. Court orders as indicated by the legal alert checkbox;
3. Other legal documents, e.g. name change or immigration document;
4. Support services information (e.g. psychometric testing, speech and hearing tests, adjudication requirements for completing assessment activities)
5. Current IEP and/or Case Management Plan (CMP) where applicable; and
6. Notification of a student being home schooled.

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:

1. Records of information which an educator deems relevant and important to the educational program of the student;
2. Award information; and
3. Standardized test scores (if deemed relevant and important to the educational program of the student).

If the above optional inclusions are NOT listed on PSR Form 1704, then they may be included in the Student File (see section 2.3, viii below).

2.3 Student File

Additional items must (see 2 below) or may (see 2 – 8 below) be included in the school's student records as part of the Student File. These items include:

1. Student eligibility information (required):
   - 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
   - Verification that parent/guardian is legally admitted to Canada and a resident of BC (see Appendix I, Form A, used to collect this information);
2. Care Card number;

3. Emergency contact numbers;
4. Doctor’s name and contact information;
5. Previous Student Progress Reports (other than the two most recent years required in the PSR)
6. Serious discipline reports (e.g. copies of letters to parents/guardians regarding discipline matters and corrective actions taken);
7. Reports of important meetings/discussions relating to the student; and
8. 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 (see section 2.2 above).

2.4 Sensitive Student Information

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

1. Psychiatric reports;
2. Family assessments;
3. Referrals to or reports from school arranged counselling services; or
4. 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.

Procedures

3.1 The lead administrator or designate will be responsible for:

1. Updating the PSR Form 1704 as information changes and the student progresses through the system;
2. Ensuring that electronic copies of documents are stored on a server 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 (such as designated records clerks, administration, teachers, and counsellors) who, by the nature of their work, are required to have access; and
3. Ensuring that the school authority takes necessary precautions to safeguard against deprecated or obsolete forms of storage. The electronic storage of PSRs and other personal information requires the school authority to have an adequate backup plan and recovery strategy for potential hardware failure and database corruption.

3.2 Student Record and Student File Retention:

1. Student Records – Active Students
   - Student records are stored digitally in the Student Information System ("**SIS**"). Access is restricted to those employees (such as designated records clerks, administrators, teachers, and counsellors) 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 in sections 5 and 6 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 section 2.2 above.

2. Student Records – Inactive Students
   - Unless another school requests a Student Record (see section 6 below), the school authority archives Student Records for 55 years after a student has withdrawn and not enrolled in another K-12 school, or graduated from the school.
   - The archived Student Records are stored digitally and in a manner that ensures their preservation from calamity (fire, flood, etc.). Access is limited to the lead administrator or designates as needed.
   - The designated records clerk keeps a record of Student Records that are destroyed (shredded) after 55 years.
3. Student Files – Active Students
   - Student files are stored securely in the SIS. Access is restricted to those employees (such as designated records clerks, administrators, teachers, and counsellors) 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 in sections 5 and 6 below.
   - The lead administrator or designate will regularly review Student Files to ensure that the information is relevant and important to the educational program of the student.
4. 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 digitally and securely and in a manner that ensures their preservation from calamity (fire, flood, etc.) Access is limited to the administration or a designated person.
   - The lead administrator or designate is responsible for determining the relevance of the contents in Student Records before being archived.

3.3 Currency of Student Records

Student eligibility information (see Appendix I) will be updated during student registration each year.

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.

3.4 Security of Student Information Off-Campus

The lead administrator is responsible for ensuring that personal information taken off campus is safely stored and that personal information is protected.

3.5 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, as defined in section 2.4 of this policy.

The lead administrator or designate will obtain parental consent (written, dated and signed) for the collection, use and disclosure of Sensitive Student Information, including psychiatric reports and family assessments, and will store these as highly confidential documents with restricted access.

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 only be stored where the lead administrator or designate can access them.

4. 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:

4.1 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.
4.2 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.
4.3 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.

5. Access to and Disclosure of Student Records

1. A student (capable of exercising PIPA rights) and a parent/legal guardian of a student is permitted (unless restricted by a court order) to:

- Examine the Student Record and Student File kept by a school authority pertaining to that student, while accompanied by the lead administrator or designate to interpret the records; and
- Receive a copy of any student record upon request. The school authority reserves the right to recover the direct cost of copying records.

An entitled person may access and verify personal information in the Student Record and Student File pertaining to the particular student with appropriate notice to the school administration. Access will be provided during school hours.

2. Access to a Student Record or Student File will only be granted, upon assurance of confidentiality (without parental consent), to professionals who are planning for or delivering education, health, social or other support services to that student. 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.

3. When applicable, graduating students will be provided with interim and/or final transcripts for Grades 10, 11 and 12 courses when graduating, and upon future request of the graduate. Copies will be mailed directly to institutions of higher learning or as requested by the graduate. The school authority reserves the right to assess a reasonable fee for transcript requests.

4. 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.

6. Transfer of Student Records

1. 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.
2. 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).
3. 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.
4. The school authority will only transfer sensitive, confidential information (e.g. psychiatric 10 assessments) after dated and signed parent/guardian consent has been obtained.
5. The school authority will not transfer a record of a Section 14 Child, Family and Community Service Act report of alleged sexual or physical abuse made to a child protection social worker.
6. 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.
7. A Student Record will be reviewed when a student transfers. The lead administrator will ensure that the documents listed as inclusions are still required inclusions (e.g., 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 shredded.

> For more information on external credits at HCOS, visit the Course Challenge and Equivalency Policy.

List of Appendices

1. Appendix 1: Form A – Status of Parent/Guardian (Admission to Canada and Residency)
2. Appendix 2: Links to information on Student Record legislation:
   - PIPA
   - Independent School Act [RSBC 1996] Chapter 216
   - Independent School Regulation
   - Student Records Order
3. Appendix 3: Links to Student Record Policy:

   Permanent Student Record Instructions - BC MoECC
4. Appendix 4: Link to the Child, Family and Community Service Act

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