



<b>NAME:</b> 04.16 STUDENT RECORDS	<b>VERSION:</b> 1
<b>ADOPTED:</b> JUNE 6, 2015	<b>REVIEW:</b> 2019-2020

**REVIEW EVERY 5 YEARS OR IN COMPLIANCE WITH MINISTRY OF EDUCATION GUIDELINE CHANGES**

**PREAMBLE**

RCS has a legal responsibility to maintain and retain student records. Access to these records is also restricted by regulations and guidelines. This policy does not seek to reiterate the detail of the Ministry of Education requirements but seeks to highlight the expectations for RCS employees when handling student records in general. *The Independent School Act* requires RCS to establish written procedures regarding the storage, retrieval and appropriate use of student records, ensure confidentiality of the information contained in the student records and ensure privacy for students and their families.

**DEFINITIONS AND KEY GUIDELINES**

1. The term “student record” as defined in the *Independent School Act* and referenced in these guidelines refers to a record of information in written or electronic form in respect to a student, but it does not include a record prepared by a person if that person is the only one with access to that record.
  - a. Records may be stored in more than one file.
  - b. Records may be paper or electronic.
  - c. Access to records must be limited to school employees or agents (i.e. school nurse) who require access to the information for the successful completion of their job.
2. The "Permanent Student Record (PSR)" as defined in the Student Records Order is a specific subset of student documentation including:
  - a. Reference Ministry Form 1704.
  - b. Student progress for the most recent 2 years or a copy of the Transcript of Grades issued by the Ministry of Education.
  - c. Where letter grades are not set out in a student progress report for grade 4, 5, 6, or 7, a written record of those letter grades must be included.
  - d. Any additional documents the campus Principal deems relevant to the educational program or well-being of the student.
  - e. The Principal is responsible for overseeing the updating of the PSR and its inclusions.

3. “Student File” (SF) are those additional record items that may form part of the school’s record keeping outside of the minimum requirements for the PSR. This file may include:
  - a. Reports or services provided by professionals engaged by the school including psychologist, speech pathologist etc. or adjudication requirements for completing assessment activities.
  - b. School team based meeting minutes that relate to the student,
  - c. Records relating to the confidential and diagnostic assessment by external agencies such as: Minister of Social Services, hospital or medical records or court orders.
    - i. *Child, Family and Community Service Act* Section 14 reports should be retained only for the purpose of the child protection proceedings and this information must NOT be disclosed to third parties or transferred to other schools. Such reports are strictly confidential and should be stored where only the Principal or persons authorized by the Principal can access them.
    - ii. Retention of such reports is important for the school to provide confirmation that the report has been made and for evidence purposes in the event that school staff members are subsequently called as witnesses in the child protection proceedings.
  - d. Any additional documents that the campus Principal deems appropriate for inclusion.
    - i. If the Principal 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.
    - ii. The Principal may wish to acquire specific consent for these optional items to be included.
4. “Student Learning Plan” (SLP) means the student learning plan set out in the Career and Personal Planning 8 to 12 Integrated Resource Package (1995) educational program guide.
  - a. RCS may provide a 1-2 page SLP Overview to fulfill this requirement, rather than including the entire SLP document. SLP overviews provide students’ personal and career plans and generally include such items as short-term and long-term goals regarding academic planning, personal health and well-being, career planning and work experience.
5. “Teacher Records” means notes or observations kept by a teacher electronically or in writing which do not form part of either the PSR or SF.
  - a. Insertions intended to go into the formal student file kept in the office should be dated and signed.
6. While the Ministry of Education does not require that independent schools file student discipline reports, best practice considerations recommend that independent schools develop school procedures governing records.

- a. A guiding question for determining the appropriateness of including information in a student's file should be: "Is this necessary or clearly helpful for educators to know when working for the benefit of this student?"

## **TRANSFERRING STUDENT RECORDS**

7. Transferring student records to a public school will include copies of:
  - a. The Permanent Student Record (the PSR 1704 plus the two most recent years of student progress reports and, where letter grades are not sent out in a student progress report for a student in grade 4, 5, 6 or 7, a written record of those letter grades);
  - b. The current Student Learning Plan, if any (grade 9 and up) and
  - c. The current IEP for a student, if any, and
  - d. Form 1704 must be reviewed, completed and may include a *List of Inclusion*.
8. Transferring student records to another independent school or a school out of province shall include the documents noted above in paragraph 7 and:
  - a. Copies of school generated confidential written reports listed on the List of Inclusions and included in the student file should be sent to independent schools, schools outside the province and other professional agencies only when:
    - i. Written permission has been granted by the parent/guardian or legal representative of the student (either in a letter or through completion of the "Consent to Release Confidential Information" or another form); or
    - ii. It is requested by the student (either in a letter or through the completion of the "Consent to Release Confidential Information" form) after he/she is an adult; or
    - iii. The release of the record is required by statutory declaration or court order.
  - b. Copies of externally-prepared reports should not be transferred to an independent school, or to a school outside the Province of B.C. These reports will still be listed on the *List of Inclusions*.
    - i. It is the Principal's responsibility to decide whether or not documents are relevant to the educational program of the student and, therefore, whether they should be listed in the *List of Inclusions* and maintained in the student file.
9. Schools should retain written record of all student record transfers (e.g. student name, date of birth, name and address of receiving school and date of record transfer).

## RCS RECORD KEEPING GUIDELINES

10. RCS follows the Ministry of Education's Form 1704 Completion Instructions which includes responsibility for maintaining:
  - a. Medical health alerts;
  - b. Legal alerts;
  - c. Recording of achievement;
  - d. Recording of attendance;
  - e. Student Learning Plan; and
  - f. Current IEP, if any.
11. In keeping with the provisions of the *School Act* and the *Freedom of Information and Protection of Privacy Act*, all student records shall be maintained in a secure manner that guards the confidentiality of information and protects the privacy of students and their parents.
12. The campus Principal is responsible for maintaining the student's PSR and the SF while the student is attending that campus.
  - a. Student files may need to be transferred between campuses from time to time. The transfer must be done securely.
13. Work relating to a student's annual activities, learner portfolio materials and teacher records are to be retained by the teacher for the current school year.
14. Once a student has graduated or withdrawn from RCS:
  - a. The PSR is transferred to a locked long term storage area and must be retained for 55 years from the date the student withdrew or graduated.
  - b. The SF records must be retained by the school for 2 years. Following that, the file can be reduced to include only the most recent psychological and speech language reports and student IEP until the student's 23<sup>rd</sup> birthday.
  - c. Student files that do not contain assessment and diagnostic records must be retained for 2 years.
15. In the case of a student's death prior to graduation the records will be sent to locked long term storage and will be retained for 55 years.
16. A completed, current Education Ministry Form 1704 must be in every student's Permanent Student Record or a school must be able to produce it electronically or in print from its student data management system.
  - a. Data for Form 1704 may be stored in electronic and/or paper format. If Form 1704 data is stored in electronic format the school must be capable of recreating the data in case of a system failure.

## **ACCESSING STUDENT RECORDS**

17. A student 19 years of age or older at the time of the request, must provide written authorization to release the PSR information along with a photocopy of valid proof of identification.
18. A parent or legal guardian may request a copy of the PSR information if the student is under 19 years of age. The request must be received in writing along with a photocopy of a valid proof of identification.
19. Either or both legal guardians of a school aged student are allowed copies of and access to student records unless a custody agreement to the contrary is in place and a copy of that agreement is provided to the campus Principal. The parents or guardians shall be accompanied by the Principal or a person designated by the Principal to interpret the records, to examine all student records kept by the school pertaining to that student, and to receive a copy of any student record that they are entitled to examine.
20. Access to pertinent information in these records will be available to appropriate school and district personnel who have a ‘need to know’ in order to fulfill the duties of their position. The ‘need to know’ basis is to be strictly interpreted and authorized by the campus Principal with respect to student records located at the school.
21. Student records shall also be made available, with proper authorization, to a person planning for the delivery of, or delivering health, social, or support services to the student.
  - a. Records released under these circumstances are done with the expectation that the reviewer will respect the confidentiality of the information and not disclose it except for the purpose intended.
22. Records will also be made available in response to valid court orders and subpoenas and/or in keeping with the *Freedom of Information and Protection of Privacy Act*, or other legislation.
23. Arrangements to review records must be made during normal business hours, with the provision of reasonable notice and in the presence of the campus Principal or his/her designate.

## **TRANSCRIPT RECORDS**

24. Official transcripts can be obtained from the Ministry of Education in Victoria B.C. Information on obtaining a transcript from the Ministry can be found at [www.bced.gov.bc.ca/transcript](http://www.bced.gov.bc.ca/transcript).
25. RCS does not store or provide copies of Ministry transcripts.

## **WITHHOLDING RECORDS**

26. Independent schools may not withhold report cards from students and parents as leverage to collect tuition arrears or for other purposes. Under PIPA, students, parents or guardians have a right to view and receive copies of student records which include current and past report cards.

## **GUIDING REGULATIONS AND LEGISLATIONS**

27. Independent School Act, BC
28. Freedom of Information and Protection of Privacy Act, BC
29. School Act, BC