

Division: Programs Finance and Administration	
Subject: Student Records	
Responsible Authority: DIRECTOR OF EDUCATION ASSISTANT DIRECTOR OF EDUCATION (PROGRAMS) ASSISTANT DIRECTOR OF EDUCATION (FINANCE AND ADMINISTRATION)	Draft Date: June 10,2010
Date Reviewed:	Date Revised:

Student Records Policy

1. Policy Statement:

- 1.1 An individual student record shall be established for each student upon his/her initial registration at any school in the district.
This may include:
 - 1.1.1 Establishing a new record
 - 1.1.2 Obtaining a record from another school.
- 1.2 The Cumulative File, Individual Support Services Plan [ISSP]/Individual Education Plan [IEP]/Pathways File, Confidential File(s), Professional Working File(s) and any computerized student files shall be known collectively as the student record.
- 1.3 A student's cumulative file and any ISSP/IEP/Pathways or Confidential Files established shall normally follow a student from school to school in Labrador School District.
- 1.4 A student record must be stored in paper format, computer or electronic format, or archival format, according to records management guidelines developed by Labrador School District.
- 1.5 Records for current [active] students must be updated annually.

2. Policy Rationale/Purpose:

- 2.1 School boards have the authority to collect information and maintain records and information about students in order to provide appropriate instruction and educational services. The purpose of maintaining student records is to document a student's educational progress through the school system and to collect specific information necessary to develop programming to meet student needs. School boards also have the responsibility to ensure prudent handling of student records, and access to student records is restricted.

- 2.2 Generally speaking, information collected about students by school boards is confidential in nature and falls into two main categories:
- a. Information that forms the standard Cumulative File
 - b. “Other” information that is not part of the Cumulative File including assessments, consent forms, health information, permission slips, Individual Support Services Plan [ISSP] documents, etc.

3. **References:**

- 3.1 *Schools Act, 1997, Section 12. (1) – (9): Student Records*
- 3.2 *Access to Information and Protection of Privacy Act, 2002*

4. **Scope:**

Student records shall be maintained on all students who are in attendance of or complete school in the Labrador School District.

5. **Roles and Responsibilities:**

Responsible Division: **Programs**
Finance and Administration

- 5.1 The **Assistant Director of Education (Programs)** shall be responsible for the implementation, monitoring and revision of policies pertaining to student records.
- 5.2 The **Assistant Director of Education (Finance and Administration)** shall be responsible for the management of all inactive student files including cumulative files and other files, when they are stored at the district or regional offices.
- 5.3 **School Administrators** shall be responsible for student records held at their school, and for ensuring that policies and procedures pertaining to student records are implemented as directed. The school administrator shall take all reasonable steps to ensure the privacy and security of active and inactive student records in a school building.

6. **Procedures:**

- 6.1 **Collecting information**
- 6.2 **Record storage and retention**
- 6.3 **Transporting of student records**
- 6.4 **Access to student records**
- 6.5 **Release of information from student records**
- 6.6 **Transfer of student records**
- 6.7 **Disposal of student records**
- 6.8 **Challenges regarding contents of student records**
- 6.9 **Appeals Regarding Student Records**

**[Please refer to operational procedures for Labrador School District.]*

7. Definitions:

7.1 Student

7.1.1 A student means:

- a. An individual who has attended school (former student) or is attending a school in the Labrador School District
- b. An individual who is required under *The Schools Act 1997* to attend school.

7.1.2 A student includes:

- a. An *Independent Student*, who is:
 - i. Nineteen (19) years of age or older
 - ii. Sixteen (16) years of age or older and who is determined to be a youth in the custody and/or care of the Director of Child, Youth and Family Services under the *Child, Youth and Family Services Act*.
- b. An *International Student*, who is a child or youth from an other country legally in Canada and is:
 - i. Approved by the Assistant Director of Education (Programs) to attend school in the Labrador School District;
 - ii. Registered in a district school;
 - iii. In a legal custodial or host family living arrangement; and,
 - iv. Responsible for the costs for educational programming and extracurricular activities.
- c. A *Home-Schooled Student*, who is being educated at home or elsewhere with the prior written approval of the Director of Education, and who is under instruction satisfactory to the Director.

7.2 Parent

7.2.1 A parent means:

- a. An individual who is the biological parent or, if a student is an adopted child, the adopted parent.
- b. In the case where the biological or adoptive parents are legally separated and the child is not living with the parents together in one household, custodial parent means:
 - i. An individual who has legal custody of a child, including joint custody, through a court order OR
 - ii. Has custody of a child through a written agreement that has been certified in Family Court.
 - iii. The biological or adopted parent with whom the student is residing, until a court order or written agreement is in place.

7.3 Guardian

7.3.1. A guardian means:

- a. An individual, other than a biological or adoptive parent, who has legal care and custody of a minor.
- b. An individual, other than a biological or adoptive parent, who has written consent from the custodial parents for the care and custody of a minor.
- c. An individual appointed under a temporary or permanent guardianship order by the Director of Child, Youth and Family Services under the *Child, Youth and Family Services Act*.
- d. In accordance with *The Schools Act, 1997*, an individual who has demonstrated a settled intention to treat a child as a child of his or her family, other than under an arrangement where the child is placed in a foster home for consideration by a person having lawful custody of the child.

7.4 Test Protocols

"Test protocols" are the copyrighted 'forms' on which assessors write students' response to standardized assessment tasks. The forms are used to determine how a student's performance compares to same-aged peers. Assessors who use a standardized assessment tool are required to protect the test security (not release assessment questions), observe copyright restrictions, and prevent 'misuse' of the test data from assessment manuals, materials used in the assessment, and test protocols.

7.5 Review

This policy shall be reviewed every two years.

7.6 School Policy

Schools and school district offices shall follow the district policy and procedures with respect to student records. Schools may want to develop their own (internal) protocols for staff access to student records and for the management of student records, in line with the district policies and procedures.