

321 STUDENT RECORDS

Beliefs

The Maskwacis Education Schools Commission (MESC) follows cultural and traditional teachings of the Maskwacis Cree, in particular Wahkohtowin. Wahkohtowin is the belief that all things are related and connected, that all of existence has spirit and that living in a good way requires us to maintain good relationships with each other and other aspects of existence. We recognize that respect for mother earth, elders, youth, and the Treaties are paramount to planning ahead and making decisions for future generations.

The MESC believes that Student records shall be established and maintained at the highest standard of integrity, and shall be used to promote the educational welfare of students

Procedures

1. There shall be two different and distinct student records:
 - 1.1. The first record is called the Student Record and is a record that is maintained for each student in the school in which the student is enrolled. It shall contain all information that is directly useful in facilitating the student's education and shall contain all information required in the Alberta Student Record Regulation (Alberta Regulation 97/2019)
 - 1.2. The second record is called the Confidential Student Record and is a record kept separate from the Student Record. The Confidential Student Record contains information of a sensitive nature, the disclosure of which, in the opinion of the Principal, would clearly be injurious to the student. This could include information relating to investigations under the Child, Youth and Family Enhancement Act, Youth Criminal Justice Act, criminal charges, or other information which does not promote the educational welfare of the student.
2. The Superintendent, or designate, shall be responsible for the overall administration of this administrative procedure.
3. An electronic Student Record shall:

- 3.1. Be maintained for all students registered in the Commission.
- 3.2. Parent/Guardian/Students shall complete the standard Commission registration form to ensure that appropriate information is collected.
- 3.3. Be updated annually.
- 3.4. Be stored on a secure server available to professional staff but not available to students or the public.
- 3.5. Consist of all information that affects decisions made about the education of the student including:
 - 3.5.1. Student identification data:
 - 3.5.1.1. Student's name as registered under the Vital Statistics Act, or if the student was born in a jurisdiction outside of Alberta, the student's name as registered in that jurisdiction, and any other surnames by which the student is known,
 - 3.5.1.2. Date of birth,
 - 3.5.1.3. Gender,
 - 3.5.1.4. Name of the student's guardian/parent(s),
 - 3.5.1.5. Addresses and telephone numbers of the student and of the student's guardian/parent(s),
 - 3.5.1.6. Student ID number (Alberta Education and school).
 - 3.5.2. Student status information:
 - 3.5.2.1. Grade,
 - 3.5.2.2. Program,
 - 3.5.2.3. Inclusive services.
 - 3.5.3. An annual (semester) summary of the student's school attendance.
 - 3.5.4. The education authority of which the student is a resident student
 - 3.5.5. The names of all schools attended by the student in Alberta and dates of enrolment, if known.
 - 3.5.6. The citizenship of the student and, if the student is not a Canadian citizen, the type of visa or other document pursuant to which the student is lawfully admitted to Canada for permanent or temporary residence, and the expiry date of that visa or other document.
 - 3.5.7. An annual summary or a summary at the end of each semester of the student's achievement/progress in the courses and programs in which the student is enrolled.

- 3.5.8. Health information that the parent or student wishes to be placed in the student record.
- 3.5.9. Results obtained by the student on any:
 - 3.5.9.1. Diagnostic test, achievement test and diploma examination conducted by or on behalf of the province.
 - 3.5.9.2. Standardized tests under any testing program administered by the Commission to all or a large portion of the students or to a specific grade level of students.
- 3.5.10. Formal intellectual, behavioural or emotional assessments or evaluations administered individually to the student by the Commission, or requested by the student's parent and administered to the student by an independent party:
 - 3.5.10.1. Name of the instrument, summary of the results, date of the administration, name of the individual who administered the instrument, an interpretive report, and any action taken as program planning as a result of the assessment or evaluation, or interpretive report.
- 3.5.11. Any assessment, evaluation, or interpretative reports referred to in 3.5.10 that the parent or student wishes to be placed in the record.
- 3.5.12. Documents from the local health authority, such as vision and hearing screens, and speech and language reports.
- 3.5.13. The individual program/educational plan and amendments, if one has been devised and summaries of all previous individualized program plans.
- 3.5.14. Information about any suspension of more than one day or expulsion relating to the student or the student's rights, which must be recorded and retained on the student record for a minimum period of one year and a maximum period of three years following the date of the suspension or expulsion after which the information must be removed from the student's record and may, at the discretion of the Principal based on 3.7, be placed in the Confidential Student Record.
- 3.5.15. If the parent of the student or the student wishes to provide information that the student is of aboriginal ancestry, a

notation indicating whether the student is Status Indian/First Nations, Non-Status Indian/First Nations, Metis or Inuit, and

3.5.16. A copy of any separation agreement or custody court order

3.6. The following data must not be included in the Student Record:

3.6.1. Any information contained in:

3.6.1.1. Notes and observations that are not used in program placement decisions;

3.6.1.2. Any information relating to a report or an investigation under the Child, Youth and Family Enhancement Act; 3.6.1.3 Counselling records relating to the student that is or may be personal, sensitive or embarrassing to the student, unless 3.7 applies.

3.6.1.3. Any information that identifies a student as a young person as defined in the Youth Justice Act or the Youth Criminal Justice Act and all information relating to the student in that capacity.

3.7. Information referred to in subsection 3.6.1.3 may be included in the Student Record if inclusion is:

3.7.1. In the public interest, or

3.7.2. Necessary to ensure the safety of students and staff.

4. Transfer of the Student Record

4.1. When a student transfers to another school:

4.1.1. Within MESC, the Student Record and Confidential Student Record shall be forwarded to the receiving school.

4.1.2. Within Alberta, the school from which the student has transferred shall, on receipt of a written request from the receiving school, send only the Student Record and not the Confidential Student Record.

4.1.3. Outside Alberta, the school from which the student has transferred shall, on receipt of a written request from the receiving school, send only a copy of the Student Record and not the Confidential Student Record.

5. Retention of Student Record

- 5.1. Student records shall be kept as per the Records Management retention schedule (AP 131 Records Management)
6. Access to Student Record
 - 6.1. Principals shall develop a procedure for informing parents, legal guardians and students 16 years or older of their right to review a Student Record.
 - 6.2. The contents of a Student Record are not disclosed except in accordance with:
 - 6.2.1. The Personal Information Protection Act, and
 - 6.2.2. Any one of the following:
 - 6.2.2.1. To a staff member or agent of the Commission if the information is necessary and relevant to a matter being dealt with by that person.
 - 6.2.2.2. With the written permission of: The parent if the student is less than 16 years of age. The student or the parent if the student is 16 years of age or older.
 - 6.3. A Student Record may be reviewed:
 - 6.3.1. By the parent or legal guardian of a student, if the student is younger than 16 years old.
 - 6.3.2. By the student and the parent or legal guardian if the student is 16 years of age or older.
 - 6.3.3. By an individual who has access to the student under a separation agreement or an order of a court.
 - 6.4. Where a Student Record contains a test, test results or an evaluation of a student that is given by a person who has recognized expertise or training, the individuals referred to in 6.2 above are entitled to review the test, test results, evaluation or information, only at a time when a person who is competent to explain and interpret the test is available to provide the explanation and interpretation.
 - 6.5. Information contained in a Student Record shall be disclosed to the Department of Justice or the Department of Solicitor General and Public Security of the Government of Alberta or to their designates 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.

- 6.6. At the written request of a medical officer of health as defined in the Public Health Act, the following Student Record information shall be disclosed to the medical officer of health or designate for the purpose of contacting parents or guardians regarding voluntary health programs offered by the regional health authority, including immunization, hearing, vision, speech and dental health programs, and for the purpose of communicable disease control:
- 6.6.1. A student's name, address, date of birth, sex and school, and
 - 6.6.2. The name, address and telephone number of the student's parent or guardian.
- 6.7. When a Student Record has been reviewed, the date and name of the reviewer will be recorded digitally on the record.
- 6.8. Removal or correction of Student Record and Confidential Student Record entries
- 6.8.1. Persons with access rights may request the Principal to correct or remove entries in a student's Student Record or Confidential Student Record.
 - 6.8.2. The Principal, on receiving a written request, shall make a ruling.
 - 6.8.3. If the Principal denies the request, the applicant shall be informed of the right to appeal the Principal's decision to the Superintendent.
 - 6.8.4. Other than as noted in sections 6.1, 6.2, and 6.3 above, no entries may be removed from a student's Student Record or Confidential Student Record.

Reference:

[AP 131 Records Management](#)
[Child, Youth and Family Enhancement Act](#)
[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 Freedoms](#)
[Youth Criminal Justice Act](#)
[Student](#)
[Record Regulation 97/2019](#)

[Personal Information Protection Act](#)