

Administrative Procedure 320 - Student Records

Background

The Division has a responsibility and holds staff accountable in the development and maintenance of, along with provision of access to, student records as defined in the relevant legislation/regulations and accompanying regulations of the Minister.

Student records and confidential records prepared by the Division, or on behalf of the Division as part of its mandate to provide educational programs under the relevant legislation/regulations, are in the ownership of the Division. Rules about the collection, use, access to and disclosure of such information is subject to government statute and applicable policy and procedures.

Definitions

Confidential record is defined as a record created and stored securely and separately from the student record for the purpose of holding:

- Notes and observations prepared by or for teacher, counselor or Principal and not used in program placement decisions;
- Information related to a report or investigation under the relevant legislation/regulation.
- Information that identifies a student as a person defined in the relevant legislation and regulations and all information relating to that student in that capacity;
- Specific counseling records related to a student that may be personal, sensitive or embarrassing to a student (unless the placement of the information in the student record would be deemed to be in the public interest or necessary to ensure the safety of student and staff).

Student record is defined as that information concerning a student as specified in the regulations of the Minister.

Procedures

1. Development and Maintenance of Records:
 - 1.1. Principals are required to establish procedures and guide staff in development and maintenance of a student record for every student enrolled in the school.
 - 1.2. A student record shall consist of all information that may reasonably be used for educational decision making.
 - 1.3. Principals will annually review the student record for accuracy and completeness.

- 1.4. Persons contracted by the Division to conduct formal intellectual, behavioral or emotional assessments or evaluations shall be advised that their written reports will form part of the student record and therefore be accessible for review to the student and/or their parent(s).
- 1.5. Where a student record already exists in a school in Alberta for a student, the Principal will make reasonable efforts to obtain the record in accordance with the regulations of the Minister, and to forward student records to schools when requested to do so in writing.

2. Access to Records

- 2.1 Access to student record information will be provided by the Principal of each school, in accordance with the relevant legislation/regulations.
- 2.2 Where there is a request for a student record by a parent and/or the student and the school or department has a concern, the school or department shall contact the Secretary Treasurer for consultation.
- 2.3 Where there is a request for a student record from someone other than the parent, the school principal shall consult [Administrative Procedure 321 Student Information Sharing](#).
- 2.4 When parents or students are given the opportunity to review the student record, the Principal or designated professional shall accompany those persons accessing the record to ensure that no documents are removed or added without the approval of the Principal.
- 2.5 Where a parent, and independent student, or a student over 18 years of age requests copies of information placed on a student record, the Principal may make photocopies of such documents and provide them to that parent or student.
- 2.6 An independent student (as defined in the relevant legislation/regulations) or a student over 18 years of age shall have access rights to their student record, but may provide written consent for a parent to access student record information.
- 2.7 Information held in “confidential” records is considered a student’s personal information, and access to such records is governed under the authority of the relevant legislation/regulations.

3. Management and Retention of Records

- 3.1 Each Principal shall make provision at the school to secure student records so that access is restricted to authorized personnel only.
- 3.2 Principals will retain student records as per Alberta Education legislation/regulations.
- 3.3 Confidential records formed in accordance with the *Student Record Regulation AR 97/2019*) to hold information related to relevant legislation/regulations are to be retained for a minimum period of one year following their formation, or until the

student leaves the school, whichever is the longer period, or until such time as an authorized child welfare or youth justice worker advises in writing that any court order(s) relating to the student have expired.

- 3.4 A confidential record created by or for a teacher, in-school counselor, inclusive services professional, or principal is to be reviewed annually by the person who created the file and a determination made about its continuing use.
- 3.5 The school principal shall annually confirm student information with the parent through the Division's approved process, including contact information, medical information, physical addresses, and aboriginal learner status.

Reference: Section 9, 11, 18, 32, 33, 36, 37, 52, 53, 56, 68, 70, 197, 222 Education Act
Child, Youth and Family Enhancement Act
Section 6, 16, 17, 32, 33, 34, 35, 36, 37, 38 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 Freedom
Youth Criminal Justice Act
Freedom of Information and Protection of Privacy Regulation 200/95
Student Evaluation Regulation 177/2003
Student Record Regulation 97/2019

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