

**MEDICINE HAT PUBLIC BOARD OF EDUCATION OPERATES AS MEDICINE HAT PUBLIC SCHOOL DIVISION,
AND FOR THE PURPOSE OF THIS DOCUMENT WILL BE REFERRED TO AS "MHPSD" AND/OR "DIVISION"**

SECTION 600 – Students

ADMINISTRATIVE PROCEDURE: ACCESS TO STUDENT RECORDS

PROCEDURE CODE:	624 AP 002
Policy Reference: 624 – Student Records	

PROCEDURE

1. Access Use
 - 1.1. Access to students and to information regarding students shall be granted only to those who are entitled to receive such access.
 - 1.2. If there is any doubt regarding an individual's right of access to a student or information regarding a student, the matter shall be referred to the Superintendent of Schools or Designate.
2. Student Records
 - 2.1. The school principal shall ensure that the Student Record for each student enrolled in their school is either created (if no Student Record exists), or is obtained (if a Student Record exists). The School Principal shall ensure the student records are complete, accurate, appropriate and properly secured.
 - 2.1.1. The student record is a confidential document. It may be reviewed by:
 - 2.2. the student, if 16 years of age or older,
 - 2.3. the parent or guardian, unless the student qualifies as an Independent Student under the Education Act,
 - 2.4. an individual who has access to the student under a separation agreement or an order of a court.
 - 2.4.1. the student's teacher, school counsellor, school administrators and school district staff on a need-to-know basis.
 - 2.4.2. When the student record contains a test or a test result provided by a person who has recognized expertise or training in respect of that test, the individuals referred to in subsection 2(a)(i) above are entitled to review that test or test result and to

receive an explanation and interpretation of the test from a person who is competent to explain and interpret it.

- 2.4.3. All requests to review the student record under this section shall be accommodated as soon as practical after the request is received. An appointment shall be made ahead of time, with the principal of the school to review the record.
- 2.5. Other than as provided in Section 2(a)(i) above, no access to the student record or the information therein shall be provided without the written approval of:
 - 2.5.1. the student, if the student is 16 years of age or older, and
 - 2.5.2. the parent if the student is less than 18 years of age.
- 2.6. The original document shall not be removed. However, a person who is entitled to view a student record may obtain, at cost, a photocopy of that student's record.
- 2.7. Transfer of student records
 - 2.7.1. Transfer of a student record inside and outside Alberta – When a student transfers within Alberta, the transferring school, upon receiving a written request from the new school, will send the original, not a copy, of the student record to the new school where the student is enrolled.
 - 2.7.2. When a student transfers to a school outside Alberta and a written request for a student record is received from the school, a copy of the student record, not the original, will be sent to the new school.
 - 2.7.3. Where information of a sensitive nature is included in the student record, and disclosure of this information may be considered detrimental to the student, the parent or guardian or independent student may request in writing that such information be deleted from the student record prior to transmittal. Such requests must be referred to the Superintendent or Designate. Decisions will respect the interests of the school and public interests as per the Education Act. Where a decision is made to delete a parent off of a student record prior to transmittal, a copy of the deleted section will be retained by the Division.
- 3. Non-Custodial Parent Access to Student Information
 - 3.1. Definition: For the purposes of this policy and regulations, a non-custodial parent is:
 - 3.1.1. A parent who has not been granted custody of a child under an order of a court, or
 - 3.1.2. A parent who is living separately from a child in the absence of a separation agreement or an order of a court
 - 3.2. Requests for access to information regarding a student from any individual claiming to the student's parent or guardian shall be referred to the school principal if there is any question as to the appropriateness or the veracity of the claim.
 - 3.3. Where necessary, the principal shall take the following steps to determine the appropriateness of the request for information regarding a student:



- 3.3.1. The non-custodial parent should be asked to provide a copy of the separation agreement or court order granting access privileges to the non-custodial parent.
- 3.3.2. If the order is appropriate for sharing information, or in the absence of an order, the non-custodial parent should be advised that the custodial parent will be afforded a reasonable period of time to dispute the claim of access. (Two full school days is deemed to be a reasonable time under normal circumstances.)
- 3.3.3. The custodial parent shall be contacted to inform the parent that the non-custodial parent has requested access to student information. The custodial parent should be asked if a court order has denied access. If such an order has been made, the parent should be invited to provide a copy of the court order denying access.
- 3.3.4. If the custodial parent is not able to provide a copy of a court order denying access, the request for information shall be determined to be appropriate.
- 3.4. Access to the Student Record and access to information regarding the school progress and attendance of the student shall be provided to a parent who has access to the child under a separation agreement or an order of a court.
- 3.5. No access to forwarding addresses of custodial parent shall be granted under these regulations in cases where the student no longer attends the school.

REFERENCES

Alberta Education – Education Act

Approved: December 18, 2012

Revised: _____

