

# SCHOOL DISTRICT NO. 48 (SEA TO SKY)

## REGULATION SERIES 500 - STUDENT PERSONNEL

<b>R 505</b>	<b>STUDENT RIGHTS &amp; PRIVACY</b>
<b>R 505.2</b>	<b>Access to Student Records</b>

This Regulation provides the specific instructions regarding access to and confidentiality of student records.

### 1. Access to Records

- 1.1 The information contained in a student's file shall be accessible, upon request, to the legal parent/guardian, student or legal representative of the student and persons providing health services, social services or other support services will be given access to student records in accordance with the provisions of the *School Act*.
- 1.2 Copies of report cards, academic transcripts, and statements of standing, once prepared, shall be provided to the legal parent/guardian and/or student or legal representative of the student.
- 1.3 All other information contained in a student's file shall be accessible to the legal parent/guardian or student or legal representative of the student, through the principal, in conference with professional staff qualified to interpret the data in their proper and intended context.
- 1.4 The information contained in a student's file shall only be accessible to other professional agencies when a written request has been made by the legal parent/guardian or legal representative of the student, or by the student if he/she is an adult, except where permission has been explicitly granted by the Superintendent or where the release of such records is required by statutory declaration or by court order.
- 1.5 Copies of report cards, academic transcripts, and statements of standing may be provided to other parties where a written request has been made by the legal parent/guardian or legal representative of the student, or by the student if he/she is an adult. Letters of reference, or letters which summarize and interpret file contents may also be provided if similarly requested. However, copies of documents requiring interpretation shall not be provided to other parties, except where permission has been explicitly granted by the Superintendent, or where the release of such records is required by statutory declaration or by court order. The School District may charge for required documents. Charges will be in accordance with AP 203.4

1.6 Other than as noted above, personal information such as student addresses and telephone numbers shall not be divulged by schools without permission of the student or the parents.

## 2. Custodial and Access Parents

2.1 In circumstances where the custody parent and the access parent are in general agreement, they may both have access to information including attendance at parent-teacher interviews.

2.2 Where there is a clear difference between the two parties, the following may provide a basis for appropriate action.

2.2.1 Normally information should be provided to access parents and to custody parents equally.

2.2.2 Permission is not required of the custody parent nor can a custody parent prevent a school from sending out information.

2.2.3 A court, may in certain instances, restrict the rights of the access parent to information.

2.2.4 It will be necessary for school principals to assure themselves that the access parent has an order under the *Federal Divorce Act*. Since there is no Register of Access Orders, it will be necessary to check with the custody parent to ensure that the access order is valid and current.

2.2.5 If the order is valid and current, the school must give information. If the custody parent objects to this, it is essential that the school and school district stay out of the dispute. The parties should be referred to the Courts.

2.2.6 If there is a clear difference of opinion between the two parties and stable agreement is not evident, the access parent should be denied an interview with the teacher but may be granted an interview with the principal.

2.2.7 The school or school board should indicate instances, in which it is being called upon to make decisions which the parents cannot make jointly and in harmony, that it will be governed in such instances only by a ruling from a Court. Further discussion of the problem should be handled by the legal advisor to the school board and not school personnel.

Note: Ministry of Education memorandum, February 19, 1987,  
Section 16 (5) Federal Divorce Act 1985:

“Unless a court orders otherwise a spouse who has been granted access to a child of the marriage has the right to make enquiries

and to be given information as to the health, education and welfare of the child.”

3. Confidentiality of Records

3.1 All viewer(s) must be informed of the necessity of confidentiality concerning the student records.

3.2 No documents may be removed from the file.

3.3 Files should not be removed from the school or Board Office.