

# Personal Information Confidentiality in the District



**NANAIMO LADYSMITH**  
PUBLIC SCHOOLS

Dale Burgos, Executive Director | Communications  
395 Wakesiah Avenue, Nanaimo, BC V9R 3K6  
© 2018 / Nanaimo Ladysmith Public Schools [www.sd68.bc.ca](http://www.sd68.bc.ca)

# Confidentiality of Student Records

- ▶ There is increased public concern about the confidentiality of personal information held by government organizations.
- ▶ In schools, we work with students' personal information every day and it is important that we understand the confidentiality requirements.
- ▶ There are legislative and policy regulations governing protection of students' personal information.

# Basis of Confidentiality Requirements

- ▶ Freedom of Information and Protection of Privacy Act (FIPPA)
- ▶ School Act
- ▶ NLPS policies and procedures

# FIPPA

- ▶ Applies to all public bodies, including school districts
- ▶ Gives public right of access to information held by public bodies
- ▶ Also protects the confidentiality of personal information

# What Is Personal Information?

Anything that identifies an individual:

- ▶ Name
- ▶ Address
- ▶ Telephone number
- ▶ Personal identifying number (PEN)
- ▶ Educational record
- ▶ Health information
- ▶ Character assessment
- ▶ Ethnic background
- ▶ Photograph

# Guidelines for Personal Information

Information and Privacy Act talks about

- ▶ Collection – how we get students’ personal information
- ▶ Disclosure – how we use students’ personal information and who can see it
- ▶ Retention – how we safeguard students’ personal information and dispose of it when we no longer need it

# Collection (Information and Privacy Act)

- ▶ Only collect that information which is necessary and authorized by legislation
- ▶ School Act authorizes districts to collect student information *for the purpose of providing students with an educational program*
- ▶ Collect information directly from individual (or parent) and specify what you will do with the information

# Disclosure (Information and Privacy Act)

- ▶ Only disclose information for the purpose for which it was collected, or with consent of parent and/or student
- ▶ Only disclose information when allowed by legislation
- ▶ Within a school, only disclose student information to those who need it



# Retention (Information and Privacy Act)

- ▶ Personal information must be kept secure from unauthorized access and disposed of in a confidential manner.
- ▶ Personal information cannot be stored on a computer outside of Canada without consent.

# Retention (Information and Privacy Act)

Personal information must be retained for specific periods of time

- ▶ One year when information is used to make a decision about someone
- ▶ Permanent retention for PR cards
- ▶ Report cards and other important student information stays in file until at least one year after student graduates
- ▶ Most other student information should be kept as long as useful

# School Act Requirements

- ▶ District must ensure confidentiality of student records and ensure privacy for students and families
- ▶ Students and parents may examine student records and receive copies
- ▶ District may share student records with social services and public health

# School District Policy Requirements

- ▶ AP 334 – Student’s Personal Records and AP 519 – Retention and Destruction of Records outline length of time student records must be kept and specify that records must be disposed of in a confidential manner
- ▶ AP 334 also outlines content of student records, access, security and retention
- ▶ AP 335 – Student and Employee Personal Privacy on the Internet address the issue of student names and photos on websites

# School District's Expectations of Employees

- ▶ Adhere to legislation and district policy and only disclose student information as permitted in legislation or policy
- ▶ If in doubt, contact the school principal or Executive Director of Communications
- ▶ Do not share your user name and password with anyone
- ▶ Expectations apply at all locations where personal information is accessed

# School District's Expectations of Employees

- ▶ Possible breaches of confidentiality must be reported to the school principal or district privacy coordinator
- ▶ Privacy obligations take precedence over most other obligations
- ▶ Safeguards are in place that track access and use of the systems containing students' personal information
- ▶ Violations of confidentiality requirements may result in discipline
- ▶ Confidentiality obligations continue after employment ceases

# Guidelines for Disclosure

- ▶ Custodial parents – proceed cautiously and don't release information without thorough research
- ▶ Don't give personal information over the phone unless you are absolutely sure of the person's identity and right to the information
- ▶ Disclosing information to the police – can release information to assist in an investigation – should be principal's decision – good to get the request in writing
- ▶ Disclosing information to insurance companies – only with consent

# Guidelines for Disclosure

- ▶ Disclosing information to a social worker – get request in writing stating that it is a matter of child protection or for planning services for the student
- ▶ Disclosing information to public health officials – can give health officials information that allows them to carry out their responsibilities (names, phone numbers, addresses)



# Guidelines for Note-Taking

- ▶ Notes kept by district employees are subject to information and privacy rules
- ▶ Notes can be requested by parents or students
- ▶ Important to keep factual notes

# Guidelines for Security

- ▶ Special precautions are necessary when student information is placed on outside websites
- ▶ This applies to web-based gradebooks such as Jupiter Grades; blogs, etc.
- ▶ School district has requirements and guidelines for these situations – contact your school principal or the Executive Director of Communications.

# Security Measures

- ▶ Never share your user name and password
- ▶ Screen should be located in such a way that it can't be read by visitors or people passing by
- ▶ Don't leave computer unattended without locking screen
- ▶ Make sure paper records are stored securely and shredded when disposed
- ▶ Take precautions when faxing or e-mailing personal information
- ▶ Personal information downloaded to mobile devices must be password protected

# Take the Online Quiz

- ▶ If you have questions, please email them to:  
[communications@sd68.bc.ca](mailto:communications@sd68.bc.ca)
- ▶ Click on the link below to begin the quiz  
[https://staffweb.sd68.bc.ca/FOIPPA\\_Quiz/](https://staffweb.sd68.bc.ca/FOIPPA_Quiz/)