



ADMINISTRATIVE GUIDELINE

Title: Freedom of Information and Protection of Privacy – Staff and Students

Effective Date: May 25, 2000

Responsibility: Director of Education

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, the Near North District School Board is to fulfill its obligation with regard to the protection of, and access to, personal information pertaining to its staff and students, subject to the powers of the courts to compel the production of such documents.

Personal information may only be obtained as authorized in the Act and used for the specific purposes for which it is gathered. The management and safekeeping of such information is the responsibility of each designated employee. Confidentiality must be protected by each employee who is authorized to have access to this information for the purpose of personnel and personal education program management, the provision of personnel services, various educational services and administrative maintenance to the file.

For student files, Ontario Student Records (OSR), anecdotal notes and records must be kept in accordance with Ministry of Education and Training Guidelines and District School Board Administrative Guidelines.

Access will be granted in accordance with the following regulations.

The employee, in the presence of a Supervisory Officer, or the Manager of Human Resources,

- b) Other parties (ie. legal counsel for the employee) with specific written consent of the employee,
- c) An employee's Principal, Supervisory Officers, Manager of Human

2. **Formal Requests**

2.1 **Staff**

Formal written applications made under the Municipal Freedom of Information and Protection of Privacy Act will be passed in the first instance to the Head/Designate for registration. The request will then be directed through the Superintendent of Business to the Manager of Human Resources in accordance with the “Information Management

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2.2 Students

- a) All requests for access to personal information of a student of the District School Board, made under the Education Act, will be passed to the Principal's/Vice-Principal's office or Guidance Department of the school the student is attending or the school the student last attended.
 - b) Any written applications for access to personal information made under the Municipal Freedom of Information and Protection of Privacy Act, will in the first instance be passed to the Head/Designate for registration and to enact the "Information Management Request Procedure".
 - c) Access to or release of personal information of a student may be granted for compassionate, health or safety reasons without the written consent of either the student who is an adult or the parent(s) or guardian(s) of a student who is not an adult.
 - d) An individual whose request for access to a student's OSR made under the Education Act or the Municipal Freedom of Information and Protection of Privacy Act is denied shall be notified in writing of the right and process of appeal.
3. Specific Records Management issues are located in the *Administrative Guideline – Records Management – May 25, 2000*.