ADMINISTRATIVE PROCEDURE

Purpose

To ensure compliance with Ontario Regulation OSR 01.

Procedure

These procedures are to be used in conjunction with the *Education Act,* the *Municipal Freedom of Information and Protection of Privacy Act,* the *Ontario Student Record (OSR) Guideline* and all other applicable regulations and guidelines of the Government of Ontario. The *Ontario Student Record (OSR) Guideline 2001,* and *a Guide to Ontario Legislation Covering the Release of Students' Personal Information* should be filed with this procedure.

1. **ISSUANCE OF OSR**

   If a student is attending more than one school simultaneously for the purposes of program, only one OSR is to be issued.

2. **RESPONSIBILITY FOR THE OSR**

   - Designated school clerical staff will be responsible for performing clerical functions with respect to the establishment and maintenance of the OSR.
   - Designated administrative staff will be responsible for the purposes of managing historical records.

3. **MAINTAINING CONFIDENTIALITY AND STORAGE OF THE OSR**

   - OSR folders must be stored in a locked, secure area when they are unsupervised.
   - A log recording the user's name and location of each OSR that is removed from the regular storage area must be maintained.
   - OSR folders shall normally be returned to the regular storage area by the end of each school day. If a folder is to be retained overnight by an authorized individual, then security of the OSR must be ensured.

4. **ORGANIZATION OF THE OSR**

   The OSR folder and Documentation File will be organized using the "Order of Enclosures" dividers method. (*See Appendix 1*)

Dividers are established as follows:

Outside the Documentation File
- Order of Enclosure List
- Student Identification and Personal Information
- Student Achievement

Inside the Documentation File
- Assessment Reports (School Board)
- Assessment Reports (Outside Agencies)
- Consent Forms
- Identification, Placement and Review Committee (IPRC) Packages
- Individual Education Plans (IEP)
- "Legal" Documents
- Other

5. COMPONENTS OF THE OSR

- An Ontario Education Number (OEN).
- The following **may** be entered in the OSR if the principal deems them conducive to the improvement of instruction of the student: 1) photographs, 2) participation in co-instructional activities, and 3) special achievements in school activities.
- Records of interviews with parents and/or students if the principal deems them conducive to the improvement of instruction of the student.

6. DOCUMENTATION FILE

In addition to the requirements of the OSR Guidelines, the Catholic District School Board of Eastern Ontario has designated the following information for inclusion for the period the principal deems them conducive to the improvement of instruction of the student unless otherwise noted below:

- Reports by support personnel on student progress;
- Consent forms for testing or placement;
- Administration of medication release forms;
- Education, psychological and speech and language reports from Board personnel;
- Assessment reports from outside agencies, e.g. audio logical, vision, psychiatric, psychometric, psychological, medical, treatment centres, home care, etc.;
- Information on adoption, immigration, home schooling, exclusion from compulsory

attendance in French-as-a-Second Language; court orders, trespass orders, and appeal/tribunal decisions;

- Information related to a reportable violent incident. Reports **must** remain for three consecutive years during which time no other reportable violent incidents have occurred;
- Information related to expulsion **must** remain for five years after the date of expulsion.

Third parties are to be advised that their reports will be filed in the OSR and will be subject to the OSR access provisions. The protocols and case notes are the property of the Board and will be maintained by the individual assessor.

7. REPORT CARDS

Report cards including those issued in addition to the times of issuance specified in the Guidelines are to be maintained in the OSR.

8. OFFICE INDEX CARD

An Office Index Card can be a computer-generated form which contains the required information about each student who has attended a school.

9. ACCESS TO THE OSR

- A student and the parent(s)/guardian(s) of a student who is under the age of 18 may, **by appointment,** review the student's OSR in the school in the presence of the principal or a teacher of the school during regular school hours.

- Unless there is a court order to the contrary, both parents have a legal right of access to their child, including the right to make inquiries and to be given information concerning the child's health, education and welfare. Schools should request parents to provide a copy of any court orders or separation agreements concerning custody and access arrangements for review and inclusion in the Documentation File of the student's OSR.

- Neither parent volunteers nor elected members of school councils have access to OSRs of any students other than their own child(ren).

- See Appendices 7 and 8 for Consent Forms to be used to release information from the OSR to third parties, e.g. probation officers, parole officers, hospitals, etc.

10. **ACCESS TO THE OSR – SUBPOENAS, CIVIL SUITS, CRIMINAL CODE, CHILD AND FAMILY SERVICES ACT**

Principals shall contact the Superintendent of Education who will make arrangements for seeking legal advice.

11. **ACCESS TO THE OSR UPON DEATH OF A STUDENT**

- Under the *Municipal Freedom of Information and Protection of Privacy Act,* if a student was over age 18 at the time of death, parents can only access the personal information if the child has been dead for over 30 years. However, the *Act* allows the deceased individual's personal representative/executor (may be a parent) to exercise the right of power and access to personal information if access "relates to the administration of the individual's estate".

- If the deceased student was over age 16 but under 18 at the time of death, then the provisions of s.266 of the *Education Act* will permit the parents access to the OSR.

- If the deceased student was under age 16 at the time of death, then both the custodial and non-custodial parent, provided they have not been precluded access by court order, have the right to examine the OSR under the *Education Act*. However, the *Municipal Freedom of Information and Protection of Privacy Act* allows only the custodial parent to obtain a copy of the OSR pursuant to a request made under that *Act.* Practically speaking this differentiation can be avoided in the absence of an access request under the *Municipal Freedom of Information and Protection of Privacy Act.* However, disclosure could be made to both parents for the purpose of complying with another Act such as family law legislation.

12. **REVIEW OF ONTARIO STUDENT RECORD FOLDERS**

The OSR shall be reviewed at the following times to ensure it contains information that is current and valid, and conducive to the improvement of the instruction of the student:

- on admission from another school outside the Board;
- on transfer to another school;
- on retirement from school; or
- at least once during each school year.

13. **TRANSFER OF THE OSR**

- See Appendix 3 for the form to be used when a student transfers from a school.
- Specially printed Transfer Envelopes are to be used when sending OSRs with the Catholic District School Board of Eastern Ontario via the courier system.
- Priority Post, or an equivalent delivery method approved by the Board, is to be used when transferring OSRs to a school in another board, to a private, federal, or First Nations school, or to a Provincial or Demonstration School.

14. **REQUESTING AN OSR**

See Appendix 4 for the form to be used when requesting an OSR from another school.

15. **RETENTION AND DISPOSAL**

a) OSRs for elementary students who retire from the Catholic District School Board of Eastern Ontario will be stored for five years in the elementary school and then forwarded to the FOI and Records Management Co-ordinator for storage (See Appendix 11).

b) OSRs for secondary students who retire from the Catholic District School Board of Eastern Ontario will be stored for seven years in the secondary school and then forwarded to the FOI and Records Management Co-ordinator for storage.

c) The following components of the OSR will be retained for five years after a student retires from school:
   - report cards
   - the documentation file, where applicable
   - additional information that is identified by the school board as appropriate for retention

d) In the event of a school closing, the Office Index Cards will be forwarded to the school that receives the students from the previous school area.

e) The following components of the OSR will be retained for fifty-five years after a student retires from the school:
   - The OSR folder
   - The OST
   - The office index card

f) The destruction of all or any part of the OSR when its retention is no longer

required under this guideline will be effected under conditions that ensure the complete and confidential disposal of the record.

16. **SUSPENSION LETTERS**

Copies of suspension letters, other than those issued in relation to an incident of violence, are retained chronologically in a binder and the OSR for the minimum one year retention period required under the *Municipal Freedom of Information and Protection of Privacy Act.*

17. **AVAILABILITY OF FORMS**

- The following forms are available from Purchasing Services: blank OSRs and Documentation Files, OSR Office Index Cards, OSR Transfer Envelopes. Forms for recording the hours of instruction in French-as-a-Second Language can be obtained from the Purchasing Services or from the Board's Student Information System.

APPENDICES:

Appendix 1	Order of Enclosures
Appendix 2	Authorization for Access to OSR: Student Over Age 18
Appendix 3	Authorization for Access to OSR: Student Under Age 18
Appendix 4	Notification of Student Transfer Within Ontario
Appendix 5	Request for an OSR by a School in Another Board or a Provincial or Demonstration School in Ontario
Appendix 6	Request for an OSR from a School Outside of Ontario
Appendix 7	Form to Verify Information Before Transferring File to Another School
Appendix 8	Form to Access OSR by Authorized Staff
Appendix 9	Parental Consent for Release of Information
Appendix 10	Process for Transferring Inactive OSRs to Off-site Storage