

**AA35****Confidentiality of Student Records**

Classification:	Academic Affairs
Responsible Authority:	Registrar
Executive Sponsor:	Vice President, Student Services
Approval Authority:	Algonquin College Executive Team
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**PURPOSE**

To protect and manage the personal information of all students as directed by the Freedom of Information and Protection of Privacy Act, 1987, Province of Ontario (FIPPA).

**SCOPE**

All students

**DEFINITIONS**

<b>Word/Term</b>	<b>Definition</b>
Academic Administrator	An Academic Administrator is a Program Chair, Academic Manager, Associate Chair, Dean, Testing Services Manager, or designated decision-maker.
Application Service Provider	An application service provider is a business providing application software generally through the Web.
Privacy Office	For this purpose, the Privacy Office is defined as Algonquin College's Privacy Office, which resides within Information Technology Services in the Information Security and Privacy department along with the Cybersecurity Unit. The Privacy Office is responsible for the overall College Privacy Program, while the Cybersecurity Unit is responsible for the College's Cyber-Security Program. The Privacy Office has a responsibility to provide education, guidance and advice to various College business units that retain accountability for business practices. The Privacy Office is also responsible for processing data access requests at the College.
Student	A Student is any person who is currently enrolled in a course or program at Algonquin College, but who may not yet have

registered; who has applied for admission to the College; or who was enrolled in a course or program at the College.

**Student Record** A Student Record is a collection of information about a Student vis-a-vis the student's relationship to the College. There are multiple distinct elements of this relationship, each of which exists semi-autonomously.

## **POLICY**

### 1. General

1. The College has a legal obligation to protect the student's right to privacy and to make judicious use of student data and academic information in its possession as required by the Freedom of Information and Protection of Privacy Act 1987, Province of Ontario (FIPPA).
2. The Registrar's Office is accountable for providing the policy and procedures by which accurate data, gathered from students, agencies, institutions and professors/instructors, is maintained and disseminated appropriately to the student, to third parties designated by the student, or to other legitimate users as described in this document.
3. The personal information obtained or requested is collected under the legal authority of the Ontario Colleges of Applied Arts and Technology Act, 2002. The information is used by the College for administrative and statistical purposes, including but not limited to, admission, registration and record maintenance as well as awards, scholarships and the administrative functions of Advancement (including Alumni and Friends Network) and/or the ministries or agencies of the Government of Ontario and the Government of Canada.
4. The College will regard each student record as a unique and private document, maintained in a secure, controlled environment.
5. All online or web accessible student information will reside on secure College owned and operated servers or on approved external third party operated servers, and be readily accessible to College employees responsible for the administration of such information.
6. The use of an external Application Service Provider (ASP) to house Algonquin student information must include an agreement with clear indications on security, privacy, retention, deletion and backup procedures, signed by the Chief Digital Officer (ITS), the Registrar, the VP Finance and Administration (Freedom of Information Coordinator) and the Senior Vice President, Academic.
7. Data held in student records, established and held by the Registrar's Office and academic departments, are subject to the principles of confidentiality in this policy.
8. Data used by the College are updated, corrected, or amended, as appropriate, upon documented notification from the student,

professors/instructors, Vice Presidents, Academic Administrators, as appropriate.

9. Student record data is maintained live for a minimum of one year following the student's last academic activity, after which time a permanent record is maintained by the Registrar's Office and held in a permanent storage medium.
  10. Access to student information held in any medium (hard copy, computerized database, microfiche) must observe the principles of confidentiality according to guidelines provided below by the Registrar. All requests for information regarding students will be handled in the context of this policy. Formal requests for information filed under Freedom of Information and Protection of Privacy legislation will be referred to the Freedom of Information Coordinator.
2. Guidelines Governing the Release of Student information
1. General
    1. Students have access to data on their student record for their examination, under supervision of the Registrar's Office staff. The data is protected by security measures, including the regulation of access to the Student Information System.
    2. Normally, no information will be released to external third parties without written student authorization. This includes requests from parents, prospective employers, police forces, credit bureaus, finance and loan companies, private investigation agencies, banks and similar organizations. The Registrar may exercise discretion in the release of information to external third parties without written authorization from the student as outlined in section 2.4.
    3. Copies may be released to College officials when requested in support of administrative or academic service on behalf of the student.
    4. Documents from other institutions such as high school or university transcripts which are submitted to support a student's application for admission and/or transfer of academic credits may not be certified and released as part of the College record. If, however, the College, by not doing so, may cause excessive hardship to the student, it may, at the discretion of the Freedom of Information Coordinator and notification to the student, forward a copy of such a transcript to the receiver, marked "for your exclusive use only".
    5. In all programs, records of attendance as a separate item, do not form part of the official student record, and requests for attendance records will be denied.
    6. The posting of any student grade by student name or student number or any other identifying symbol is prohibited.
    7. At Ottawa Campus, access to student(s) due to an emergency is to be referred to Security, who will follow established procedures regarding the request. At the Pembroke or AC Online Campuses, in

similar circumstances, individuals should be referred to the Dean's Office. The Algonquin College Privacy Office may also be consulted if/as required.

2. Access by the Student

1. Students may, upon written request, release part or all of their information to a third party, or request it be held with no release allowed.
2. Students with debts outstanding to the College are entitled to access their file and may receive an unofficial copy of their grades. However, the College will not produce an official transcript, certificate or diploma, or release information to third parties as requested by the student in writing, until the obligation to the College is cleared.
3. Students accessing their own file may view the file but may not alter or remove any of its contents.
4. Unless unusual circumstances prevail, no grades or certification shall be released to a student prior to the official release of grades and certification to all students.

3. Access by College Personnel

1. Employees responsible for the delivery or administration of courses and programs at the College shall have access to relevant student information in the performance of their duties. Academic administrators responsible for, or associated with, program delivery, will be provided access to student information for programs within their area and scope of responsibility.
2. Professors, instructors, counsellors, Centre for Accessible Learning staff, academic administrators and administrative officers of the College who request information from a student's record to provide educational counselling and/or administrative services to the student will be permitted access to the appropriate file(s) with the approval of the Registrar or designate.

4. Access by Third Parties Outside the College

1. Parents

Since the basis of all transactions with students assumes adult levels of responsibility, information from the student's record will not be released to parents or guardians without the student's written consent, unless the student has not yet reached sixteen years of age. Parents or guardians of students of less than sixteen years of age will be provided access to the information from the student's record, in accordance with Ontario Freedom of Information and Protection of Privacy legislation.

If parents or spouses contact the College to pay fees for students, the College will accept and process the payments, and issue a receipt for payment if in-person. Otherwise, the receipt and timetable will be released via the student portal and/or mailed to the student.

## 2. Sponsoring Agencies

A transcript will be released on request to those approved sponsoring agencies who provide full financial support to the student registered at the College and who supply written authorization from the student to do so. Typically, students will complete a standard authorization form provided by the agency.

## 3. Government Agencies

Properly identified representatives of federal, provincial or local government agencies, including regional police, Ontario Provincial Police, and R.C.M.P. will be treated as any third party; that is, written student authorization must accompany their request for information, unless such release is sanctioned by Section 42 of the Freedom of Information and Protection of Privacy Act, 1987, Province of Ontario. Section 42 (g) of the Act permits the disclosure of personal information to an institution or a law enforcement agency in Canada to help an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

However, if in the opinion of the Registrar, denial of the information could involve hardship to the student, appropriate details may be released. Further, if denial of access to the student's information could affect the safety of the College community, appropriate details may be released.

## 4. The Courts

In the event that a student record is subpoenaed by the Court, on behalf of the student, a certified copy of the full student record will be offered. Should the record be subpoenaed by the party other than that representing the student, a certified copy of the record will be offered to the Judge alone, with an explanation of the College's reluctance to release a private document without written student authorization. The decision will then rest with the Judge, as to the required response by the College.

## 5. Researchers

Requests from external researchers conducting statistical studies must be reviewed by the Research Ethics Board and the Freedom of Information Coordinator. If the requests receive support, they will then be recommended for approval by the President or designate with stipulated conditions to protect the students' privacy.

#### 6. Postsecondary Enhanced Student Information System

The College will comply with requests from Statistics Canada to provide data on students and graduates in order to understand factors affecting enrolment demand at postsecondary institutions. In order to carry out such studies, Statistics Canada asks all colleges and universities to collect and provide student identification information (student's name, student ID number, Social Insurance Number if provided), student contact information (address and telephone number), student demographic characteristics, enrolment information, previous education, and labour force activity.

The Federal Statistics Act provides the legal authority for Statistics Canada, the national statistical agency, to obtain access to personal information held by educational institutions. The information may be used only for statistical purposes, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that could identify a student.

Students who do not wish to have their information used are able to ask Statistics Canada to remove their identification and contact information from the national database. See Appendix 2.

### PROCEDURE

	<b>Action</b>	<b>Responsibility</b>
<b>1.</b>	<b>Use of External Application Service Provider (ASP)</b>	
1.1	Professor/instructor submits a request to use an external ASP to house Algonquin student information to their Academic Administrator who, in turn, forwards the request for approval to the Senior Vice President, Academic.  College Administrator submits a request to use an external ASP to house Algonquin student information	Professor/instructor or College Administrator

	to their supervisor who, in turn, submits the request for approval to Information Technology Services.	
1.2	Obtain, if request is approved, an agreement with indications on security, privacy, retention, deletion and backup procedures, signed by the identified Administrator of the ASP, the Chief Digital Officer (ITS) and the related Dean or Director.	Professor/instructor or College Administrator
<b>2.</b>	<b>Student Consent to Release of Information</b>	
2.1	Consent to the release of information to College officials held on their student record by signing the Authorization for Release of Student Information form (Appendix 2) during the application process.	Students
<b>3.</b>	<b>Student Requesting Access to Own Record</b>	
3.1	Ask the student requesting access to their personal record by telephone to provide key personal information to verify student identity.	Registrar's Office Staff
3.2	Ask student requesting access in person to their personal record for valid photo identification (ID).	Registrar's Office Staff
<b>4.</b>	<b>College Staff Requesting Access to a Student Record</b>	
4.1	Submit a written request to access a specific student's record to the Registrar, indicating the reasons for the request.	Professor, counsellor, Centre for Accessible Learning staff, Academic administrator, or College administrator
4.2	Review the request and approve, if appropriate, the release of information.	Registrar or designate
4.3	If the request is denied, notify the requester, stating the reasons for the refusal.	Registrar or designate
<b>5.</b>	<b>Third Party Request to Access Student Information</b>	
5.1	When a third party request is received to access student information, verify that the student has given written permission.	Registrar's Office Staff
5.2	If the student has not granted permission, or is unaware of the request, ask the third party to obtain the student's written permission.	Registrar's Office Staff
5.3	If extenuating circumstances exist, refer the request to the Registrar for a decision on the release of the information requested.	Registrar's Office Staff

## SUPPORTING DOCUMENTATION

Appendix 1: Content of the Student Record

Appendix 2: Student Authorization for Release of Information

## **RELATED POLICIES**

AA31: Algonquin College Library

AA40: Academic Advising

AA48: Academic Integrity - Draft Version 6

AA49: Electronic Student Record Retention - Draft Version 7

AD02: Freedom of Information and Protection of Privacy

HR18: Employee Code of Conduct

IT01: Information Security

IT09: Data Governance Policy

RE02: Integrity in Research and Scholarly Activities

RE03: Research Involving Human Subjects

SA16: Sexual Assault / Sexual Violence

## APPENDIX 1: CONTENT OF THE STUDENT RECORD

### CONTENT OF THE STUDENT RECORD

#### 1. Current Record

##### 1. Pre-registration Record

When applicants apply to the College and prior to registration, their official record held in print and/or electronic media by the Registrar's Office includes, but is not limited to the following documentation:

- application form, supporting documentation and admissions correspondence;
- record of changes to program choice(s);
- record of changes to personal information;
- action sheet to record admission milestones;
- fee payment receipts;
- Test Centre and program admission assessments;
- written authorizations by student for release of specific information to specified third parties;
- letters from sponsors;
- immigration status, if applicable.

Following registration, the paper and/or electronic files become the current record.

##### 2. Registered Students

While students are currently registered at the College, their official records in electronic and paper media, various elements of which are held by the Registrar includes, but is not limited to the following documentation:

- application form, supporting documentation and admissions correspondence;
- record of changes to personal information;
- record of registration and changes to registration;
- record of grades received and status assigned;
- record of final grade reviews and academic appeals, and outcome record of official withdrawal;
- documentation concerning student status, including letters from sponsors, record of disciplinary action, correspondence, etc.;
- record of assessment and payment of fees and penalties;
- record of academic and/or financial encumbrance(s);
- record of graduation, certification awarded, date of completion and Convocation date;

- written authorizations by student for release of specific information to specified third parties;
- records of information released to third parties, as requested in writing by the student.

Transcripts and records from other institutions are held on the student record to support admission, document exemptions, assist faculty advisors, etc. These are part of the current scanned record only and are destroyed when the current record is purged and the permanent record is archived.

Any counselling records, disability-related documentation, or record of health or health-related condition of a confidential nature will be maintained in Counselling Services, the Centre for Accessible Learning, or the Health Services Office respectively, and not in the official student record held in the Registrar's Office.

### 3. The Permanent Record

The permanent record contains the following:

- student's full legal name, including previous name if on file;
- student I.D. number as assigned by the College;
- Social Insurance Number if on College record;
- date of birth, if available;
- last permanent address;
- cumulative academic record, which will consist minimally of the following information found on the application form and final transcript:
  - date of admission, if applicable;
  - course number, hours and title of course(s) in which the student registered, and program where applicable;
  - final grade/status assigned in each course;
  - date of the academic term in which the grade/ status was assigned;
  - term Grade Point Average (G.P.A.) and the cumulative G.P.A. where applicable;
  - graduation status and date, or where applicable, leaving status and date;
  - final permanent record summary for certain Health Sciences programs;

Clinical evaluations in some Health Sciences student records may be retained for an extended period.

## 2. RETENTION OF RECORDS

## 1. Rationale

Unlike the elementary and secondary school systems, there is no legislation governing the long-term retention of records in Ontario's or Canada's tertiary institutions. Under Freedom of Information and Protection of Privacy Act, personal records must be retained as active files for a minimum of one year following last academic activity. A retention schedule of seventy (70) years governs Ontario's pupil records in elementary and secondary schools. Permanent Student Records as defined in AA49: Electronic Student Record Retention policy, are held indefinitely for academic record, transcript and archiving purposes.

## 2. Retention Schedules

1. Current student records of full-time students are held intact for one year following the student's last academic activity, after which time a permanent record will be created and are held in a permanent storage medium.
2. Current records of part-time students enrolled in courses where evaluation takes place are held intact as long as student status is active.
3. Records which are held in permanent storage will be retrieved upon a student's request or return to the College.

## APPENDIX 2: AUTHORIZATION FOR RELEASE OF STUDENT INFORMATION

### AUTHORIZATION FOR RELEASE OF STUDENT INFORMATION

To formalize compliance with the Freedom of Information and Protection of Privacy Act, Algonquin College requires that you read the statement below. The information gathered through this document is collected under the legal authorization of the Ontario Colleges of Applied Arts and Technology Act, 2002, S.O. 2002, Chapter 8, Schedule F, Section 6. The information is used for educational, administrative and statistical purposes of the College and/or ministries and agencies of the Government of Ontario and the Government of Canada. Administrative purposes may include the disclosure to or on behalf of the Students' Association of Algonquin College for the purposes of the activities of the Association or to establish qualifications for benefits such as drug plan cards, OC Transpo passes or Alumni Association. The College publishes the names of students who graduate and/or achieve academic excellence. For questions related to this policy, please contact the Registrar, 1385 Woodroffe Avenue, Ottawa, ON, K2G 1V8 or (613) 727-4723. Under the Privacy Act, individuals can request access to their own, individual information held on federal banks, including those held by Statistics Canada.

#### Notification of disclosure of personal information to Statistics Canada

Statistics Canada is the national statistical agency. As such, Statistics Canada carries out hundreds of surveys each year on a wide range of matters, including education.

It is essential to be able to follow students across time and institutions to understand, for example, the factors affecting enrolment demand at postsecondary institutions. The increased emphasis on accountability for public investment means that it is also important to understand 'outcomes'. In order to conduct such studies, Statistics Canada asks all colleges and universities to provide data on students and graduates. Institutions collect and provide to Statistics Canada, student identification information (student's name, student ID number, Social Insurance Number), student contact information (address and telephone number), student demographic characteristics, enrolment information, previous education, and labour force activity.

The federal Statistics Act provides the legal authority for Statistics Canada to obtain access to personal information held by educational institutions. The information may be used for statistical purposes only, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that would identify a student.

Students may contact Statistics Canada via e-mail if they have any questions:  
[statcan.PSIS-SIEP.statcan@canada.ca](mailto:statcan.PSIS-SIEP.statcan@canada.ca).

*It is with the goodwill and collaboration of postsecondary institutions that we will reach our goal of providing reliable postsecondary education information required to plan for our future.*