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## **REGULATION #9705.1**

### **STUDENT RECORDS**

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#### **1. DEFINITION**

- 1.1. Student record means a record of information in written or electronic form pertaining to:
  - a) A student, or
  - b) A child registered under section 13 of the *School Act* with a school, but does not include a record prepared by a person if that person is the only person who will have access to the record.
  
- 1.2. Student records shall include the Permanent Student Record and Student File as defined by the Ministry of Education. The student record may also contain records from the Student Information System, Health Service information, Support Service information, Court Orders and custody information, legal documents such as name change or immigration records, Student Learning Plan and Individual Education Plan, any notification that a student is registered as receiving home schooling.

#### **2. RESPONSIBILITY**

- 2.1. School administrators are responsible for the establishment, security and maintenance of the Permanent Student Record and student files for each student registered in their school, and for ensuring that these and other student records are appropriately maintained within the context of Surrey Board of Education policy and regulation.

#### **3. ACCESS TO STUDENT RECORDS**

- 3.1. Access to student records shall be in accordance with the *School Act*, the *Freedom of Information and Protection of Privacy Act* and other applicable legislation.
  
- 3.2. Prior to access being granted to anyone other than a parent/guardian, student or British Columbia Public School District representative, the records shall be reviewed by the school administrator or designate to ensure that there is no reference to, or personal information of others, in accordance with the *Freedom of Information and Protection of Privacy Act*.

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- 3.3. In the absence of a court order limiting access to a child, parents or guardians, with or without the student present may review their child's record in consultation with appropriate professional staff.
- 3.4. All or a portion of a student's record may be disclosed to a person who is planning for the delivery of, or delivering, health services, social services or other support services to the student. Such disclosure will be made to the **Ministry of Children and Family Development**, Health or the Attorney General on receiving a written request. Such disclosure to other persons or agencies requires the written approval of the parent/guardian (or the student, if the student has attained the age of majority).
- 3.5. Student records may be released to the School Protection Program to defend any claims or potential claims. Where persons represent themselves as acting on behalf of the Schools Protection Program, their identity can be confirmed by contacting School District No. 36 (Surrey)'s Director, Internal Audit & Risk Management who coordinates responses to claims and potential claims.
- 3.6. A summary of a student's school progress may be provided to prospective employers, at the written request of the former student.
- 3.7. Documentation will be kept in the student's record of any person reading the file other than parent/guardian, student, school or school district officials.
- 3.8. When such requests do not fall within the foregoing criteria, requests for student records are to be directed to Records Management Services. Except as noted above, or otherwise authorized by law, student records will not be released unless the school district is presented with a court order.

#### **4. TRANSFER OF RECORDS**

- 4.1. The original student record is to be forwarded directly to any British Columbia public school including: British Columbia Distance Education Schools, British Columbia Francophone Education Authority Schools, Provincial Resource Programs, Containment Centres, and British Columbia Alternate Schools to which a student transfers, in receipt of written confirmation that the student has enrolled in such school.

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- 4.2. Where a transfer is to a public school outside the province or to an independent school, copies of records are to be forwarded on written confirmation of enrolment. Both the original permanent record card and a log book/tracking system are to be maintained at the school.
- 4.3. A log book/tracking system shall be maintained at each school for the purpose of recording all student record transfers. The log book will contain the date of transfer, the student name, date of birth, PEN and destination. The logs shall be retained for a period of 75 years from date of birth.
- 4.4. Student records shall be transferred in a sealed, district envelope, marked "Confidential", addressed to the school administrative officer.

## **5. RETENTION**

- 5.1. The Permanent Record Card and selective information shall be contained in the student record and be retained by the school when a student withdraws from school or graduates.
- 5.2. All general information (ie. internal reports, teacher comments, referrals etc.) contained in a student record must be kept until the student reaches the age of twenty-two (22) years.
- 5.3. Graduated Students – The Permanent Record Card and Official Student Transcript shall be filed by graduation year, alphabetically and shall be kept for fifty-five (55) years after the date of graduation.
- 5.4. Withdrawn Students – When a student withdraws from the system, report cards for the last two (2) years shall be kept with the Permanent Record Card. The student record shall be filed by birth year, alphabetically and be retained for fifty-five (55) years after the student would normally have graduated.
- 5.5. Any debt owing information shall be kept with the Permanent Record Card/Official Student Transcript until cleared, or until the student reaches the age of twenty-two (22) years.

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### **6. DESTRUCTION OF STUDENT RECORDS**

- 6.1. When information is destroyed or transferred off site for destruction, a Certificate of Destruction itemizing all records destroyed must be filed with Records Management Services.
- 6.2. Excluding information referenced in section 5.3 and 5.4, general information held in a student general file may be destroyed on January 1<sup>st</sup> of each year, if the student's date of birth is 22 years prior.  
*Example: On January 1, 2015, student general files for students that were born in 1992 may be destroyed.*

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1999-07-08  
1993-05  
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*X-Ref.:* Policy [#5700](#)  
Reg. [#5700.1](#)  
Reg. [#5700.2](#)  
Policy [#5701](#)  
Reg. [#5701.1](#)