

RECORDS MANAGEMENT

These procedures govern the collection, release and disposal of records that are the property of the Division.

Responsibility

The records manager/security officer for the school division/district will be the Secretary Treasurer who may delegate duties as necessary.

Each school, site or department is responsible for proper filing, retention and storage of the files and records relative to their site and shall designate a staff person to attend to the following tasks:

- ❖ General filing of hard copy materials
- ❖ Updating of file index for all items, providing all the data required for the index such as category, name, location, etc
- ❖ Ensuring that copies of appropriate reports and documents are forwarded for archival storage
- ❖ Retaining electronic data.
- ❖ Disposing of files and records
- ❖ Ensuring that an audit trail is maintained of filing activity (transfers, disposal, loans)
- ❖ Other filing and record-keeping tasks as assigned

Ownership

All files are the property of the Division. Staff leaving employment shall ensure that the files and records are transferred to the appropriate member of the site's administration.

Disclaimer

The following disclaimer is to be included on all application forms, referral forms, reports, or any form where personal or personal health information is being collected.

“This personal information, or personal health information is being collected under authority of Turtle Mountain School Division and will be used for the educational purposes or to ensure the health and safety of the student. It is protected by The Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act and The Personal Health Information Act. If you have any questions about the collection, contact the Turtle Mountain School Division Access and Privacy Coordinator at 204-523-7531.”

Annual Review

The following guidelines and procedures apply to an annual review and culling of pupil files:

- ❖ Pupil files and working files are to be reviewed annually before the end of the school year by each classroom teacher, resource teacher, counselor or clinician.
- ❖ The files should be culled to remove:
 - Undated and unsigned notes or documents,
 - Irrelevant and outdated student work,
 - Meeting notes that are not necessary to ongoing educational services for the student,
 - When in doubt, the teacher should consult the Principal.
- ❖ Files that are culled from the pupil file must be listed in a log for content before destruction. A copy of the records content log should be sent to the Access and Privacy Officer annually to be kept on file as part of the disposition system.
- ❖ At the expiration of the retention period defined by the Province of Manitoba, records will be destroyed unless deemed archival. The conditions used for destruction will be controlled and confidential in accordance with The Freedom of Information and Protection of Privacy Act and The Personal Health Information Act.
- ❖ Refer to Procedure 9-B for specific destruction procedures.

Physical Security

- ❖ Each location must ensure a locked environment is established where personal health information is stored or accessible
- ❖ Electronic doors, if applicable, must not be left open while the area is unattended; combinations must not be disclosed to unauthorized personnel
- ❖ Materials dealing with confidential information must be closed and not left open for viewing when away from desk or work area. Confidential material must be cleared from the desktop at the end of the day
- ❖ Portable computers must be locked away when not in use and sensitive data on the hard drive must be secured by password
- ❖ When files are removed from the work site, a staff member is responsible for ensuring an appropriate level of security and confidentiality at all times

Transfer of Records

When student files are transferred from Division to Division they should be reviewed to ensure that only the personal information and personal health information necessary for the provision of education services is transferred.

Student Information (Cumulative Record File)

The cumulative file shall be forwarded to the school within the Division to which the student has been transferred.

If the student transfers to another school Division, either in the province or outside the province, copies of the transfer/withdrawal form and the student's progress shall be forwarded, upon request. The pupil and parent(s) or legal guardian(s) should be advised of the transfer of the file and of the nature of the information.

Progress Information

The student record information of transferred students within the Division is available electronically to the receiving school. Upon request, the Division shall provide a copy of the student's progress information to a receiving school, which is not in the Division (either in the province or outside the province). Progress information regarding the transferred/withdrawn student, and most recent marks;

Upon request, the sending school shall provide the student or parent(s)/guardian(s) with a copy of the completed transfer/withdrawal form and/or the report card showing any credits on record, program of student, and recent marks;

If a student is enrolled in a Special Education Program and transfers to another school, the Individualized Educational Plan shall be forwarded to the receiving school. Within the Division the transferring teacher should ensure that the data is interpreted to the receiving teacher.

Student Support File

This file shall be forwarded to the school within the Division to which the student has transferred. Outside the Division, the file will be transferred upon request.

Young Offender File

The Young Offender File may not be transferred to another Division. However, the Principal must inform the youth worker responsible for the student of the move and the name/location of the new school.

Transfer of Student Records in Adoption Circumstances

The Adoptions Act requires that the records of adopted persons must be managed in a way that ensures that cross-referencing between birth and adoptive identities cannot occur. When a student enrolled in a school is placed for adoption, the MET No. assigned to the student will be retired and a new MET No. will be assigned to the student's adoptive identity. A new student file for the student's adoptive identity must be created before the file is transferred to the student's new school.

Manitoba Education Youth will notify school principals of adoption placements. This notification will communicate to school principals:

- ❖ The student name, date of birth, and MET No. of the student involved in an adoption placement proceeding.
- ❖ The name of the social worker appointed as legal guardian of the student during the process of adoption placement.
- ❖ The adoptive identity and new MET No. assigned to the student
- ❖ The name and address of the student's receiving school.

The principal in consultation with the social worker shall determine the content to be used to create a new student file to be forwarded to the receiving school.

The original file should be stored in a secure location that ensures confidentiality of the file.

No record of the student's new identifying information can be retained in the existing student file and similarly, no record of the student's previous identifying information can be retained in the new student file.

Responsibilities of Principals

Establish, maintain, retain, transfer and dispose of a record for each student enrolled in school, in compliance with the guidelines established by the Board;

Ensure that the materials in the student file reflect these guidelines and the criteria established by the Board;

Ensure the confidentiality and security of the student files;

Respond to, or re-direct requests for access to and disclosure of student information according to the policies established by the Board;

Ensure that all teaching, professional (clinical/resource) and support staff are aware of the access and privacy provisions of the PSA, FIPPA, PHIA and CYJA and comply with the requirements of these Acts and with the policies established by the Board;

Reporting Security Breaches

Any security breaches involving personal health information are to be immediately reported:

- ❖ To the school principal if the breach occurs at school. The Principal is the to inform the Divisional Access and Privacy Officer immediately
- ❖ To immediate supervisors if the breach is identified by a divisional employee. The immediate supervisor is then to inform the divisional Access and Privacy Officer immediately.
- ❖ Access and Privacy Officer will investigate all security breaches and recommend corrective procedures to address security breaches.