

<b>Administrative Application</b>	
<b>Students 9600</b>  <b>Cumulative Student Records</b>	<b>Last Reviewed /Approved on:</b> January 15, 2020
	<b>References:</b> The Education Act, 1995 The Local Authority Freedom of Information and Protection of Privacy Act Labour Standards Act The Student Cumulative Record Guidelines (2015) Records Retention and Disposal Guide for Saskatchewan School Divisions Sept 2019 Youth Criminal Justice Act Policy 12 – Role of the Director
	<b>Status:</b> Operational

### Preamble

The Regina Catholic School Division (RCSD) believes that personal, confidential, and private individual information should be protected from public access. The Ministry of Education provides *The Student Cumulative Record Guidelines (2015)*, which is updated as required. These guidelines establish suggested procedures for the creation, maintenance, storage, and transfer of Cumulative Records.

The Cumulative Record is the official working record for students currently enrolled in the school division and for students who have graduated from the school division. Principals are responsible for the overall management of Cumulative Student Records, including the delegation of site-based responsibilities regarding the general maintenance of Cumulative Student Records.

### Definitions

1. **Cumulative Record**

This refers to the official, confidential school record kept for each student in the student's school. It is often referred to as the 'Cumulative File.' "It contains factual, objective and professional information regarding a student's academic progress, mid-term and final marks, adaptations and attendance. The information is valuable for professionals in planning and delivering appropriate education programs and supports for the student from year to year, and for enabling teachers to better understand the student's strengths. The Cumulative Record is also valuable for assisting in the successful transition of students to another school." *The Student Cumulative Record Guidelines (2015)*.

2. **The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)**

This is legislation respecting the right of access to documents of local authorities and a right of privacy with respect to personal information held by local authorities. It applies to all records collected, compiled, used and released by school divisions, including all public documents.

3. **Youth Criminal Justice Act**

This Act includes specific requirements pertaining to the collection, publication, access and destruction of information pertaining to young offenders.

### Application

1. **General Contents**

According to *The Student Cumulative Record Guidelines* (2015), each Cumulative File should include:

- a. The student's name as registered under *The Vital Statistics Act, 1995* or, if the student was born in another jurisdiction, the pupil's name as registered in the jurisdiction
- b. Any legal documentation regarding a change to the student's name
- c. Other names by which the student is known
- d. The birth date and gender of the student
- e. The student's provincial **L**earning **I**dentification number (LID)
- f. The name(s), address(es) and telephone number(s) of the student's custodial parent(s) or guardian(s)
- g. A copy of the birth certificate (if available)
- h. The names of other parents/guardians who may have custody orders that permit or restrict access to the student or the student's personal information
- i. A copy of the current *Record of Adaptations*, including Code 61 letters
- j. The student's results of diagnostic tests or other assessments pertinent to program planning, including, but not limited to, psychological reports, speech pathologists' reports, occupational therapists' reports, etc., including related parental consent forms
- k. Medical information about the student pertinent to program planning that the parent or student provides
- l. An annual summary of the student's attendance
- m. For a student that has a Personal Program Plan (PPP), as described in the Children's Services Policy Framework, a copy of the current PPP and the PPP from the previous year

In addition, Regina Roman Catholic Separate School Division #81 guidelines require that schools include the following information, which is kept as a permanent part of the Cumulative File:

- a. Baptismal Certificate (if applicable)
- b. Student Registration Forms
- c. Saskatchewan Health number
- d. Student photographs (K, 2, 5, 8)
- e. Current reading level if available (e.g., pupil benchmark)
- f. Discipline letters (e.g., suspension, expulsion)

- g. Information collected from other agencies (e.g., Child and Youth) obtained by school division personnel, unless those reports have been sent to Student Services
- h. Educational interventions, including TAB/SLE/Cornwall referrals and LRP reports
- i. English as an Additional Language Files (e.g., NWC Assessment, Immigration Information, Updated CFR Levels)
- j. Student Support Plans (current report and the report from the previous year)
- k. Parental consent forms for Student Services involvement (e.g., SSWIS, Family Support Coordinator, Counselling)
- l. A complete copy of K-8 June progress reports
- m. Student progress and attendance information for each grade from Grades 9-12

## **2. Contents to Exclude**

- a. Records or anecdotal notes of legal investigations.
- b. Personal counselling notes.
- c. Records of the student's involvement as a Young Offender. Provisions in section 125 (7) of the *Youth Criminal Justice Act* specify that information related to a student's involvement in the justice system should be stored separately from the student's other records in a secure location and destroyed when the information is no longer required for the purpose for which it was disclosed.

## **3. Maintenance of Cumulative Student Records**

- a. A record of schools attended should be kept up-to-date, along with dates of enrollment.
- b. When registering a child for Kindergarten, principals must determine if the student has attended a prekindergarten program. If the child has attended another program that falls under the auspices of the Ministry of Education, a Cumulative Student Record already exists and a request for transfer of Cumulative Student Records is required.
- c. The school principal is responsible for ensuring that the contents of a Cumulative File are maintained appropriately.
- d. Cumulative Files must not be removed from the secure office area.
- e. A record indicating the transfer of files out of the school (e.g., to the Catholic Education Centre or to another school division) must be kept up-to-date.
- f. The student's Learning Identification number must be recorded on the Cumulative File.

## **4. Cumulative File Access**

- a. All Cumulative Records are to be kept in a secure, locked environment, with access limited to approved school personnel such as principals, vice-principals, office managers,

learning resource teachers/special educators, and the child's classroom teacher(s).

- b. Access to the student's Cumulative File is governed by the provision of *LAFOIP*.
- c. In most instances, parents/guardians of children under the age of eighteen (18) years have the right to see any school files pertaining to their child(ren). Persons eighteen (18) years of age or older have the right to access their own Cumulative Files. They may request copies of any school-division generated documents contained in the Cumulative File. Schools may not copy files from other agencies (e.g., a psychological report from Child and Youth Services).
- d. Any review of the Cumulative File by non-school-based personnel must be done in the presence of the principal. Any interpretation of Student Services' reports or documentation may require the expertise of the school learning resource teacher or the school counsellor. Principals may interpret general information.
- e. Any non-school-based personnel viewing the Cumulative File or requesting copies of any part of that file must sign the required access acknowledgement (attached) or submit a written letter of release as identified below.
- f. The following may view the file:
  - i. authorized officers of the Ministry of Education
  - ii. school officials designated by RCSD
  - iii. a youth worker, as defined in the *Youth Criminal Justice Act, 2002*, who requests access for purposes of that *Act*
  - iv. a court representative when requested by subpoena.
  - v. third parties where written authorization for information release is obtained from the parents or guardians of students seventeen (17) years of age or younger or from students eighteen (18) years of age or older or sixteen (16) years of age or older and living independently. All letters authorizing information release shall be retained by the school division.

In all cases, the person viewing must sign a declaration stating that he/she acknowledges that this opportunity was available. Anyone receiving copies of documents from the Cumulative File must fill out appropriate forms (see attached "Cumulative File Access Request").

#### **5. Cumulative File Transfer**

- a. The school that receives a new student must request the student's Cumulative File from the previous school within five (5) school days of the student's arrival.
- b. When a file leaves a school, the principal shall review the file to remove and shred unnecessary information in the file. A record of the Cumulative File transfer must be kept at the school.
- c. Cumulative Files are sent to the Catholic Education Centre. From there, they are reviewed. The transfer is recorded and the Cumulative File is sent to the receiving school. If the student has not registered in a Saskatchewan school and no request for

the Cumulative File has been made, the Cumulative File is housed securely at the Catholic Education Centre. Cumulative Files transferred from Grade 8 classrooms to Grade 9 classrooms within RCSD are transferred between schools.

- d. Without exception, schools must forward Cumulative Records to the Catholic Education Centre in RCSD.
    - i. a student leaves the school division
    - ii. the status (location and/or situation) of a student is unknown
    - iii. a student is deceased.
6. **Cumulative Record Retention**  
*The Records Retention and Disposal Guide for Saskatchewan School Divisions* recommends that boards retain Cumulative Records and the marks contained in them for at least three (3) years after the pupil turns 22 years of age. RCSD requires that Cumulative Records be destroyed in a secure manner three (3) years after the student has reached 22 years of age.

**CUMULATIVE FILE ACCESS REQUEST**  
(To be placed in student's cumulative folder.)

<b>Student Name</b>		<b>Grade</b>	
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Parents have the right to view and request copies of information contained within the Cumulative File. The parent/guardian will review the file in the presence of the principal and sign so indicating. At 18 years of age, the student also has this right.

**After Examining File**

I have read the above-mentioned file(s).

\_\_\_\_\_  
**Signature of Authorized Viewer** \_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Principal's Signature** \_\_\_\_\_  
**Date**

**If the Parent/Student/Guardian Requests a Copy of Material in the File**

I have received a copy of the following material from the above-mentioned file(s).

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
**Signature of Authorized Viewer** \_\_\_\_\_  
**Date**

## Appendix 1

Two (2) documents provide guidance for the disposal of Cumulative Files:

1. *Records Retention and Disposal Guide for Saskatchewan School Divisions*
2. *The Student Cumulative Record Guidelines*, March 2015

Before disposing of records existing prior to the implementation of LAFOIP in 1995, school divisions should take reasonable steps to inform the public that the records will no longer be available (e.g., placing the information in newsletters, on websites, or in newspapers).

### LEGISLATION PERTAINING TO THE DISPOSAL OF CUMULATIVE FILES

*The Education Act, 1995*: The Ministry of Education (the Minister) has authority under section 369 of *The Education Act, 1995* to approve of the disposal of all public documents that a board of education of a school division (a board) has by resolution authorized for disposal. Section 369 authorizes boards to deposit any of their public documents with the *Saskatchewan Archives Board* (the SAB). The SAB has shown interest in retaining certain board documents.

The Minister has ordered that boards not dispose of public documents before the end of the retention periods listed in the *Records Retention and Disposal Schedule, December 2012*. The Minister recommends that boards of education:

1. prepare and send to the SAB by post or in electronic format detailed descriptive lists of their public documents referred to in board resolutions that authorize their disposal. This inventory list must include titles of records, dates, brief contents description, volume of records, location of records and any other information that may be helpful in identifying records. The scheduled disposal information should be included on the inventory list. The board resolution must be recorded in the minutes of the board meeting.
2. Sixty (60) days after sending lists to the SAB as referred to in (1), dispose of public documents either:
  - a. if requested by the SAB, by sending the originals to the SAB; or
  - b. if not requested by the SAB, in any manner that is consistent with the board's record disposal best practices and taking into consideration any general advice from the SAB; and
3. comply with all laws when releasing or otherwise disposing of public documents, including the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act* that may pertain to any personal or other confidential information contained in public documents.

In addition, records should be destroyed in the presence of a witness. A destruction notification form/letter should be completed and filed. The notification should include the list of documents being destroyed, date, location of the disposal, and the signature of two (2) authorized persons witnessing the destruction. All sensitive information must be destroyed by confidential shredding services.