

Student Records: Information Management

Yukon Education has both a legal and a professional responsibility to demonstrate that every effort is made to meet the individual educational needs of students. The documentation should reflect the continuum of assessment, intervention and planning that schools undertake on behalf of students. Legal requirements regarding the confidentiality, disclosure and transfer of records apply.

Student records include:

- The permanent Record (PR) card;
- The Student Cumulative File (Yellow) and Student Confidential File (Red) if needed;
- All electronically stored data on Yukon Student Information System (YSIS) such as demographics, attendance, discipline, and student report cards and Individual Education Plans.

Student Records

A student's record is privileged information under the *Yukon Education Act*, Section 20 (3) for the use of school and departmental officials as required for the improvement of instruction of the student. The school administrator shall ensure that the contents of a student record, or any part thereof, are not disclosed except in accordance with Section 20 and Section 199 of the *Yukon Education Act*

- to an official of the school or of Yukon Education if the information sought is necessary and relevant to educational programming decisions respecting the student;
- with the written permission of the parents of a student or a student who is 16 years of age or older;
- to the parents and the student who is 16 years of age or older, who may examine and/or receive a copy of the record of the student.

Guidelines for Keeping Records:

- All items in a student's files must be dated.
- Collect, record, or retain personal information required only to carry out the job. For organizational purposes, all information must be appended together at the end of school year.
- As information is collected, advise participants of the limits of confidentiality, what notes you will be taking and where they will be kept.
- Records should be factual and objective (no speculative comments).
- Transitory records are short term, for example, telephone messages, informal or working notes, drafts of memos, reports, etc. Transitory records are destroyed when they are no longer useful or the information has been transcribed into a formal record that is filed.
- Draft documents that differ substantially from the final version of the document might be retained for purposes of accountability.

- Files and records should be kept up to date.
- Student records should be reviewed annually. Information that is not pertinent to the planning and administration of services for the student's education or welfare or required for legal/administrative purposes should be shredded.

Types of Student Records

Yukon Student Information System (YSIS)

Student attendance, report cards, demographic information, medical alerts, and Individual Education Plans are maintained in YSIS. This information is accessible by all teachers, administrators and Department of Education personnel who have viewing privileges for the particular file.

Student Cumulative File

Each student has a Cumulative Student file. These yellow files are kept in the school office in a locked filing cabinet and include:

- Any material which, in the opinion of school personnel, will serve to assist teachers in better meeting the needs of the student;
- Detailed descriptions of student growth and development;
- Copies of student report cards;
- File Work-up (if completed);
- Medical Alert Information;
- Child custody, guardianship agreements or orders;
- Permanent Student Record Card;
- Student Learning Plans;
- Safety/Evacuation Plan;
- Copy of Individual Education Plans (IEPs) with original on YSIS;
- Referrals to Student Support Services;
- Up-to-date notations or referrals to/contacts with external agencies;
- Transfer Forms;
- Learning Assistance Information;
- Formal letters of suspension;
- Incident Reports;
- Formal notes on behaviour issues, concerns, strategies and interventions;
- School Based Team records unless of a confidential nature;
- A red dot in top right hand corner of file folder indicates that Confidential Student File exists. Sensitive information that, in the opinion of the school administrator, would clearly be injurious to the student, is not placed in this file;
- Signed photo/media releases (for a period of five years).

Student Confidential Files

Students with special educational needs must have a confidential file that is separate from the student's cumulative file. These red files are kept in the school safe or a locked filing cabinet. Access to student's records is considered on a need-to-know basis determined by relevant delivery of programming and provision of service, safety and security of students, staff and members of the school community.

Yukon Education ensures that files containing confidential information are closely guarded and shared with authorized personnel under strict conditions to ensure confidentiality for students, parents/guardians, and other professionals. Student files should not be removed from the school at any time.

Definition of Confidential information

Confidential information includes all reports written by professionals about individual students. This includes reports from psychologists, social workers, health care professionals, counsellors and special education teachers. Reports written about individual children by persons attached to other agencies should be considered confidential.

Confidential information also includes information conveyed orally in circumstances in which a reasonable person might anticipate confidentiality. It is prudent to ask informants if the information they supply is to be treated confidentially. If notes are made about confidential such information, the notes must be treated as confidential.

Access to Confidential Files

Access for school personnel

School administrators may inform authorized school personnel of the nature of the information contained in the confidential file. This may include an oral or written summary that the school administrator deems necessary knowledge for the staff members who are working with the student. The school administrator may permit authorized school personnel working with the student to read the confidential files. Student's confidential files are accessible only to teachers and Student Support Services consultants.

If the information is technical, the school administrator may request the assistance of departmental personnel for interpretation.

Copying Student Records

Information kept in the school's confidential files must not be photocopied. The only exceptions would be:

- Departmental personnel, when authorized by the Director, Student Support Services or her/his designate to copy material intrinsic to their work with the student;
- At the request of the parent, the file is to be sent out of the territory.

Release of information in student confidential files

Release to professionals (within Yukon Territory)

Professionals from other agencies may request access to confidential information. The school administrator should inform the Director, Student Support Services of all such requests. The administrator and/or Director, Student Support Services may release oral and/or written confidential information only if the parents/guardians or student (if over the age of 16 years) have signed a written authorization (*Release of Information from Department of Education*). It is the responsibility of the requesting agency to solicit written permission from the parents/guardians or student (if over the age of 16 years).

Right to confidentiality

During the initial meeting with parents, the case manager will advise the parents that a confidential file is kept on their child as required under the *Yukon Education Act*. The case manager will inform the parents about how the information is maintained and stored, how it shall be used, and the procedure requiring a written consent to release any information to a third party.

Student confidential files – Yukon Education

Yukon Education maintains confidential files on all students with special educational needs. Original copies of all reports completed by Student Support Services consultants are sent to schools and are to be maintained in the student's confidential file. The files are kept in locked filing cabinets in the Student Support Services Unit. The Administrative Assistant of Student Support Services maintains the files according to government requirements. All requests for the release of these reports to other agencies or professionals are to be referred to the Director, Student Support Services.