

LL# 83243

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PUPIL FILES - REGULATION JRA-R

The St. James-Assiniboia School Division subscribes to the policy that parents/guardians have access to all pupil files pertaining to their child or children. The Public Schools Act confirms the right of parents/guardians, guardians, and age of majority pupils to access files and records maintained by the School Division.

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1.0 PUPIL FILE**1.1 Definition**

Pupil File means the entire collection or reporting of information/documentation (stored in written, photographic, electronic or any other form) in possession or control of by the staff of a school or school board relating to the education of the pupil. Any part or parts of a pupil file may be micro-recorded or stored on a computer file in a manner that permits the printing of a clear and legible reproduction. Provision should be made to retain original documents when it is important to keep an original signature or initials on a document. The pupil file is held in any school, school board office, or any other office under the jurisdiction of the School Board.

The Public Schools Act requires every School Board to establish a pupil file for each student enrolled in a Manitoba school and to establish a system of information, collection, storage, retrieval and use with respect to each individual student. The pupil file will contain all of the information collected or produced by a School Division/District to support the educational progress of a pupil. The pupil file is comprised of the following components: the Cumulative File, the Pupil Support File and the Youth Criminal Justice File as necessary. It may be organized and separated into individual sub-files by components.

The St. James-Assiniboia School Division Pupil File Guidelines are written with an emphasis on *The Public Schools Act* (PSA) respecting pupil files, within the context of the *Freedom of Information and Protection of Privacy Act* (FIPPA), *The Education Administration Act*, *The Youth Criminal Justice Act* (YCJA) and *The Personal Health Information Act* (PHIA).

The School/Division may collect personal health information about a pupil. The information is collected to support the pupil's schooling and educational progress, to provide educational programs and services or for other lawful purposes and is connected with the functions or activities of the School Division. Information collected about a student shall be limited to information that is necessary to accomplish the purpose of educating the student.

1.2 Storage**Active Pupil Files:**

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The Principal shall be responsible for:

- Proper maintenance, security and storage of pupil files in his/her school. He/she will ensure specific procedures are in place for the updating of pupil files and will ensure that the files are kept in a secure location in the school;
- Regular review of the pupil file
 - Ø electronic pupil file via the Division's student information system verification forms
 - Ø hard copy review, at minimum, upon transfer or completion of the education cycle
 - Ø to ensure personal information and personal health information is accurate, up to date, complete and not misleading, as required by FIPPA and PHIA.
- Storing inactive pupil files in School Archives per procedure 3.3

Inactive Pupil Files

The school Principal is responsible for:

- Storage of inactive pupil files for the established retention period.
- Destruction of inactive pupil files.

1.3 Access/Privacy

The principles of information sharing and disclosure should balance the exchange of information necessary for planning for the educational and safety needs of students while still respecting issues of confidentiality.

All recorded information about an individual that is in the 'custody' or 'control' of The St. James-Assiniboia School Division is subject to the access and privacy provisions pertaining to personal information. The pupil file is considered to be in the custody or control of the School Division. It is important to note that, regardless of the source of the information, the School Division is responsible for upholding privacy and access provisions that pertain to pupil files. Third party personal information in a pupil file must also be protected against unauthorized access. For this reason and for the purposes of interpretation, access to Educational Support Services/Clinical reports should be referred to ESS.

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Access must be restricted to those officers and employees who need to know the information to carry out their authorized duties and must be limited to the amount of information necessary to carry out those authorized duties.

Staff may disclose personal health information about a pupil if the School Division reasonably believes that the disclosure is necessary to prevent or lessen a serious and immediate threat to the mental or physical health or safety of the pupil or another individual or to public health or public safety or for the purpose of contacting a relative or friend of an individual who is injured, incapacitated or ill.

The St. James-Assiniboia School Division will ensure that staff is aware of the protocol for disclosure of personal information to persons within and outside of the school division organization.

Under the PSA, FIPPA and PHIA, access to the pupil file can be granted to a pupil, their parent, or legal guardian if they are a minor, or their parent/guardian if the pupil has achieved the age of majority and has given his or her consent without contravening the privacy rights of the third party by severing out all information relating to the third party and providing access to the remainder of the record.

School Division procedures allow that routine requests for access to personal information from parents/guardians and pupils be handled at the school level. The parent/guardian or student, in the event they are denied access to any information, may contact The St. James-Assiniboia School Division Access and Privacy Coordinator.

Given the complexity of third-party requests for access to information, these requests should always be routed through The St. James-Assiniboia School Division Access and Privacy Coordinator who will make every reasonable effort to assist the applicant and to respond without delay, openly, accurately and completely as per the requirements of FIPPA.

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The parent(s) or legal guardian(s) of a student who is not an adult and the student himself or herself (where he or she is capable of understanding the information) should be informed of the purpose, content and accessibility of the pupil file at the time of enrollment.

As of May 2001, *The Freedom of Information and Protection of Privacy Act* and *The Personal Health Information Act* supercede *The Public Schools Act*, and all pupils, regardless of age have a right to access their pupil file.

The School Board shall limit the use of confidential information to those of its employees and agents who need to know the information to carry out the purpose for which the information was collected.

Pupil files are accessible to those authorized as having a genuine and professional interest in the welfare of the child including:

- a) Authorized Person:** Authorized personnel is defined as the Principal of the school, teachers, social worker and other school personnel as designated by the Principal and other School Divisions/Educational Institutions in the Province of Manitoba. It is understood that members of the Superintendent's Department will have access to pupil files.
- b) Parents/Guardians and Students:** All pupils, regardless of age, parents or guardians of a minor age pupil, or parents or guardians of an age of majority pupil who have been given written permission by the pupil to view the records or files, have access to these records or files. Access is usually given during regular school hours or school board hours, or at such time as may be agreed upon by the parties concerned.

Where access to a pupil file by a parent/guardian or pupil is permitted, a School Division employee who is competent to interpret the information must be made available to assist the parent/guardian or pupil and to maintain the file's integrity. Parents/guardians and pupils who have gained access to a pupil file can examine or obtain copies of the information therein.

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Pupils and parents/guardians who are granted access to a pupil file have the right to request corrections to incorrect or incomplete information.

- c) Non-custodial Parents:** The non-custodial parent has the right of access to a student's records unless otherwise restricted by a court order. Custodial parents must provide to the school any court order restricting access by a non-custodial parent.
- d) Police/Court Order:** Information may be shared with the police if the safety and security of the staff, students or the community is involved. Police will also have access to student information as directed by a court order.
- e) External Agencies:** These agencies will have access to student records upon written authorization of parent/guardian or students 18 years of age or older.
- f) Student under Supervision of Public Trustee:** Access to information occurs upon written authorization of the Public Trustee where applicable. Examination is possible only if written authorization is presented to the Principal.
- g) Child and Family Services:** Information may be disclosed to Child and Family Services when necessary to protect the mental or physical health or safety of any individual or group of individuals.
- h) Other Third Party Requests:** School staff may receive requests for information about a student or former student regarding behaviour, attendance and academic achievement information. Staff should ensure that they have received prior approval, verbal or written, from the parent/guardian or age of majority student before they release any such personal information. If the approval is verbal, school staff should ensure that they place a detailed note in the file documenting the permission. This is in keeping with provisions for the release of personal information to a third party.

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1.4 Information Access and Privacy Officer

The Superintendent shall be the Information Access and Privacy Officer responsible for assessing, processing and where appropriate facilitating requests for access to information contained in pupil files.

The School Board or person acting on behalf of the Board shall ensure that an employee who is competent to interpret the information contained in the pupil file is available to assist the parent/guardian or pupil.

1.5 Refusal to Provide Access

The School Board or person acting on behalf of the Board may refuse to provide access to all or part of a pupil file where disclosure could reasonably be expected to:

- a) constitute an unreasonable invasion of the privacy of a third party;
- b) be detrimental to the education of the pupil;
- c) cause serious physical or emotional harm to the pupil or another person; or
- d) be injurious to the enforcement or enactment or the conduct of an investigation under an enactment.

1.6 Pupil File Record

All schools shall maintain and store indefinitely a Pupil File Disposition Record JRA-E-4 in which the details of the disposition (transfer in/out) of all pupil files or information contained therein shall be recorded.

The Pupil File Disposition Record shall contain:

- a) student's name;
- b) Manitoba Education Number (MET#);
- c) indication of Transfer In or Transfer Out;
- d) a brief description of the records being forwarded/received;
- e) the name of the person to whom the records were forwarded or from whom the records were received;
- f) the date the records were forwarded/received;
- g) any written requests received by the sending school that initiated the transfer of records; and
- h) the name of the person recording the entry

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1.7 Transfer of the Pupil File

- a) The school Principal must forward a pupil file including the cumulative components and all files which comprise the support file component (with the exception of the clinical school file, which should be sent to Educational Support Services without delay) when the pupil transfers to another school as per the Education Administration Miscellaneous Provisions Regulation. However the youth criminal justice (YCJ) component of the pupil file should never be transferred (refer to YCJ regulations following in section 2.3).
- b) Once a request has been received, the pupil file should be transferred within one week of receiving such a request from the receiving school. The contents of the pupil file being transferred should be reviewed to ensure that only personal information and personal health information necessary for the schooling and provision of educational services to the pupil who is transferring to another school is forwarded. Consistent with Board policy duplicate information and information that is not necessary for the schooling and provision of education services to the pupil may be culled and destroyed.
- c) Transfer procedures should ensure that the file contents, as they are of a sensitive and personal nature, are adequately protected from unauthorized access, disclosure, loss or destruction while being transferred. The pupil support file component should be transferred directly from professional to professional wherever possible to further ensure the security and confidentiality of the file contents.

If it is not possible to transfer the pupil support file component from professional to professional, then the files that make up this component should still be transferred to the new school. Such files should be clearly identified as containing sensitive personal and personal health information. It is up to the receiving school or school division to ensure that only appropriate personnel have access to these files.

Where the new school is in the same school division or district:

The transfer of the personal information and personal health information in the cumulative file component and the pupil support file component of the pupil file is authorized under FIPPA (as the transfer is required by the Education Administration Miscellaneous Provisions Regulation) and PHIA (as the transfer is for the purpose for which the

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information was collected or received or for a directly related purpose – that is, the transfer is for the purpose of supporting the schooling or educational progress of the child).

Where the new school is in another school division or district:

The transfer of the personal or personal health information in the cumulative file component and in the pupil support file component of the pupil file to the new school is authorized under FIPPA and PHIA (the transfer and disclosure of the information is required by the Education Administration and Miscellaneous Provisions Regulation).

- d) Transfer of the cumulative file component and of the pupil support file components are mandatory. The pupil and parent(s) or legal guardians(s) should be advised of the transfer of the file and of the nature of the information transferred.

The transfer of the cumulative file component and the pupil support file component of the pupil file must still take place where objections by the student, parent(s) or legal guardian(s) are raised, as it is required by the Education Administration and Miscellaneous Provisions regulation.

The transfer of the Clinical School File by Educational Support Services to the pupil's new School Division should normally be done with the permission of parents/guardians. The receiving school is to send an Authorization to Exchange Information form (JRA-E-2) signed by parent/guardian to Educational Support Services at 1 Braintree Crescent, Winnipeg, Manitoba, R3J 1C7.

1.8 Retention and Destruction of the Pupil File

Pupil files are retained for ten years after the student ceases to attend a school operated by the Board or until the file is transferred to another school. Academic Records – Grades 9 - 12 (Student Marks) are retained for 30 years.

After a one-year period of inactivity, pupil files are transferred to storage, as per procedure 3.3.

Following the ten-year retention period, pupil files are destroyed in a manner that assures the files are destroyed completely and that information is not disclosed in the process of their destruction.

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Note: Schools are required to provide a transcript of marks free of charge to persons who are no longer enrolled.

2.0 COMPONENTS OF THE PUPIL FILE

2.1 Cumulative File

a) Contents

The Cumulative File exists for all students and will typically include:

- The student's name as registered under The Vital Statistics Act or, if the student was born in a jurisdiction outside Manitoba, the student's name as registered in that jurisdiction, and any other names/surnames by which the student is known
- Current registration form
- An annual summary or a summary at the end of each semester or term of the student's achievement or progress in the courses and programs in which the student is enrolled i.e. report cards/transcripts
- The names of all schools attended by the student and the dates of enrollment, if known
- Attendance records
- Photographs
- Communication, that is dated, regarding the student between the home and school e.g. discipline, behaviour, achievements, etc.
- A copy of any separation agreement or court order with respect to child custody issues, where applicable
- The St. James-Assiniboia School Division Cumulative File Insert JRA-E-1 (which is to be updated and initialed on the Cum File Insert by the principal or his/her designate yearly and when the student leaves the school) is a cross-reference listing that identifies the location of all information about a pupil. This information is held by the school division includes an indication of the existence and location of pupil support information not housed in the cumulative file. The St. James-Assiniboia School Division Cumulative File Insert must record the disposition of all components of the pupil file.

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- The results obtained by the student on any diagnostic test, achievement test and examination conducted by or on behalf of the Province, and standardized tests under any testing program administered by the board to all or a large portion of the students or to a specific grade level of students
- Indications of awards/prizes
- Any other assessment or evaluation that the parent/guardian or the student wishes to be placed on the cumulative file
- The most recent Individualized Education Plan (IEP), Behaviour Intervention Plan (BIP), Adapted Learning Plan (ALP) and/or Health Care Plan specifically devised for a student and any amendments to these plans
- Personal health information

b) Security

The cumulative file may be located in a secured area of the school away from the Pupil Support File and the Youth Criminal Justice File. The school staff must sign out files if they are removed from the school office. The sign-out record must include pupil's name, staff name, date/time removed and date/time returned.

2.2 Pupil Support File

a) Contents

The Pupil Support File exists for some students and will typically include:

- Detailed documentation from school clinicians, resource teachers and counseling staff about all inter-agency contacts and the provisions of any other resource services from within or outside of the school division that are occurring.
- Ongoing health/psycho-social/counseling information, whether medical, psychological or behavioural. (Schools should endeavor to ascertain at point of first admission whether students have used or are continuing to use the social service, psychological, psychiatric, counseling resources of any professional, of any agency, or of any school previously attended).

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- School clinician reports and related correspondence, notes from meetings/discussions concerning intervention strategies, contact logs and consultation notes.
- Referrals to other agencies and individuals.
- The results obtained on diagnostic tests.
- Reports from service providers such as agencies, hospitals, and clinics.
- Provincial funding applications.
- Summative report of school counselor or resource involvement.

b) Security

The information comprising the Pupil Support File should be kept separately in a secured area away from the cumulative file and the Youth Criminal Justice File. Pupil support information on pupils referred to Educational Support Services will be maintained at individual schools and at the Division's ESS office. Documentation identifying that information on the pupil that is being held in separate locations is to be recorded on the Pupil Cumulative File Insert and filed in the pupil's cumulative file. School staff must sign out files if they are removed from the school office. This sign-out record must include pupil's name, staff name, date/time removed and date/time returned.

2.3 Youth Criminal Justice File**a) Contents**

A Youth Criminal Justice File will only exist where a court may provide information on a youth for purposes of assisting the school:

- in its attempts to deal with a violent or dangerous offender, or to maintain a safe and orderly environment for other students and staff;
- in monitoring an offender's compliance with conditions of bail, probation or release; and/or
- in providing 'pre-sentencing' information to the court.

A Youth Criminal Justice File will typically include:

- The type of youth court order with which the young person is expected to comply i.e. bail, probation, conditional supervision, temporary release

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- The expected expiry date of the court order
- Information about the offence for which the order has been made
- The particular terms of the order which relate to school attendance or any other education matter
- Prior record of offences if safety of staff and students may be at risk
- Any identifiable individual or group of persons who could be at risk from the young offender
- Patterns of behaviour which may signal the onset of activity which might affect safety of staff or students
- Any recommendations for reducing the risk of violence and increasing the level of safety of staff or students.

b) Security Requirements for the Youth Criminal Justice File Component

The person designated as a school representative for the purposes of receiving information about a young person under the YCJA (usually the school principal) has specific duties and responsibilities to ensure that information is used only for the purposes for which it is disclosed, that proper security measures are implemented and followed to protect the privacy of the young person, and that the requirements of the YCJA respecting further access, use disclosure, storage and destruction are complied with (see the Young Criminal Justice Act). The school and the school representative must develop procedures to ensure that the information remains confidential, privacy is protected and that these duties and responsibilities are met. The Act contains criminal penalties for unauthorized disclosure of the information (and of information provided under the former Young Offenders Act).

The Youth Criminal Justice File has the highest level of security. Records are to be kept in a locked cabinet in the principal's office. This file is not to be removed from the principal's office. The school representative must ensure that no other person has access to the information and that the information is not disclosed to any other person unless:

1. access to or disclosure of the information is necessary for the purpose for which the information was provided to the school representative. That is, the school

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representative must not disclose the information to any person (including teaching and other school staff) except where disclosure to that person is necessary:

- to ensure compliance with a youth justice court order or authorization for reintegration leave for day release;
- to ensure the safety of the staff or students of the school or other persons; or
- to facilitate the rehabilitation of the young person the information is about; or

2. access or disclosure is authorized under some other provision of the YCJA.

The principal is to append to the YCJA file a list of persons to whom the information is to be disclosed. Only those persons whose names appear on the list will have access to the Youth Criminal Justice file.

It is recommended that the school representative (usually the principal) should verbally advise school staff and others who need to know the information for the authorized purposes, or should let them review but not copy the information for those purposes.

- The school representative must keep the youth criminal justice information separate from all other records about the young person, which are kept by the school representative or school (clause 125(7)(a) of the YCJA).
- Specific measures must be put in place to ensure the information is secure and protected from unauthorized access, use, disclosure and destruction. Such measures can include:
 - Ensuring that the information is never left unattended in an unsecured area;
 - Storing the information in locked filing cabinets, and restricting the use of these cabinets to this information
 - Putting in place procedures to control distribution of keys or lock combinations to the locked cabinets or locating them in secure areas where access is restricted to staff authorized to have access to the information;
 - Labeling filing cabinets so as to not reveal the fact that they contain this sensitive information;
 - Training school staff on confidentiality of information, privacy and securing procedures and monitoring compliance with security procedures;

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- Ensuring that unauthorized copies are not made of the information; and
- If the information is stored electronically, ensuring the computer system has access to control codes (encryption) and can automatically track attempts to obtain access to the information

The school representative must also destroy the youth criminal justice information (and all copies the representative of the school has of the information) when it is no longer required for the purpose for which it was disclosed. The school representative must ensure that the information is destroyed in a secure manner so that the confidentiality of the information and the privacy of the young person it is about are adequately protected (clause 125(7) of the YCJA).

For additional information see the 'Information sharing Protocol under the Youth Criminal Justice Act (Canada) for the Sharing of Youth Criminal Justice Information with Manitoba Schools by Manitoba Justice and Manitoba's Policy Officers (February 2004)' prepared by Manitoba Justice and Manitoba Education.

3.0 PROCEDURES

3.1 a Creation of a Cumulative File

(Refer to 3.1b – Registration Procedures)

- Create new files for Kindergarten students
- Students from other divisions/provinces may need files to be made or 'redone' when they are sent in plain file folders. If there is not a MB cum file, create a new one.

Parts of the Student Cum File are:

- Ø Manitoba Cum Student Record (manila folder file)
- Ø St. James-Assiniboia School Division Cum File Insert

Creation of a CUM file:

- Start with a "Manitoba Cumulative Student Record" (available for ordering through Manitoba Textbook Bureau)

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- Complete information required on top of Cum File i.e.: Last Name - print in bold letters (Legal Name needs to be on it, you can also put the other names child might be using), First, Middle; in Student Number area, MET #, D.O.B, Sex
- On front of cum file, complete "Record of Schools Attended"
- Inside, record the month/year of registration; the address, city, postal code, province and home phone. Complete the information as recorded on the Registration Form
- Staple a "St. James-Assiniboia School Division Cumulative File Insert" JRA-E-1 to the inside cover of file (over Brothers/Sisters area). Fill in the Month/Year, School, Student Name, and D.O.B.
- A copy of the report card (academic achievement) must be filed in the cum file
- Registration Forms, Report Cards, Attendance Profiles, Vision and Hearing Screening Reports, etc. should be kept with the most recent documentation in front

3.1 b Registration

- Ensure student lives in catchment area (refer to St. James-Assiniboia Streets, Addresses, Postal Codes). Students should be referred to the school in their catchment area. School secretaries are to note out of catchment area students on the registration form and forward it to the principal for consideration. Out-of-Division students must complete an Out-of-Division/District School of Choice Form forwarded to the division on or before May 15th.
- Kindergarten students need proof of age - 5 years old by December 31st of current year (Birth certificate, Baptismal certificate or Manitoba Medical Card). Registration for Kindergarten students usually begins in early February.
- For children born in Manitoba, no immunization record is needed. For children born outside of Manitoba, both an immunization record and health number are required.
- **Early years** students from out-of- province should provide the following:
 - Ø Report card/transfer form
 - Ø Provincial medical numbers, immunization reports and possibly a birth certificate
- **Early years** students from within the province should provide a copy of their report card/transfer card
- Every new student registering must fill out the following:

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Ø St. James-Assiniboia Registration Form: ***Emergency/Medical information must be completed at time of registration***

- It may be necessary to complete the following forms:
 - Ø Optional Health Program (URIS Application)
 - Ø Registration for School Bus Transportation
- Fax or phone the student's previous school to request the student's file. For students within Manitoba, fax or phone the school to request the file and M.E.T. number. Keep a master record of all schools contacted, student name and date requested. Another call may need to be made if you have not received the file within three weeks.
- New files may need to be created for out of province students
- Complete the front of the file and update information inside
- Circulate file to Resource Teacher, Guidance Counsellor and Administration (where appropriate)

3.2 a Procedures for Transferring Pupil Files

The Education Administration Miscellaneous Provisions Regulation states that the principal must provide the pupil file of a pupil who has transferred to another school to that school within one week of the school requesting it.

Upon receipt of (written/fax) request for a pupil file:

- All components of the pupil file (as identified on the CUM file insert) are amalgamated
- The Principal, in concert with other staff, will review the file to ensure that only personal information and personal health information necessary for the schooling and provision of educational services is forwarded
 - Ø The Youth Criminal Justice File component cannot be transferred and must be destroyed - destruction via shredding
 - Ø Educationally irrelevant information is culled for destruction - destroyed via shredding
- CUM file insert is updated, if necessary, and sent with the pupil file. Where pupil files are transferred outside St. James-Assiniboia School Division, a copy of the CUM file insert is retained in the Student File Disposition Record of the sending school
- A signed copy of the Pupil Support File Transfer Record (JRA-E-3) is to be completed

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and copied to Educational Support Services at the time of transfer and placed in the Pupil File Disposition Record

- Upon transfer of the pupil file, The St. James-Assiniboia School Division Cumulative File Insert JRA-E-1 must be updated and the original forwarded, with the pupil file. If the student transfers out of The St. James-Assiniboia School Division, a copy of the Cumulative File Insert must be kept in the Pupil File Disposition Record at the sending school.

The Principal at the receiving location is responsible for dissemination of components to appropriate staff.

Where possible, all components of the pupil file should be forwarded together, however; when they must be forwarded separately, it must occur as quickly as possible.

Each school forwarding pupil files will keep a record on/attached to the Pupil File Disposition Record.

3.2 b Transferring Pupil Files in Adoption Circumstances

The Adoption 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. For this reason, when a student enrolled in a school is placed for adoption, the MET # assigned to the student will be retired and a new MET # will be assigned to the student's adoptive identity. A new pupil file for the student's adoptive identity must be created before the pupil file is transferred to the student's new school.

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

- a) the student name, date of birth and MET # of the student in an adoption placement proceeding;
- b) the name of the social worker appointed as legal guardian of the student during the process of adoption placement;
- c) the new adoptive identity and new MET # assigned to the student; and

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- d) the name and address of the student's receiving school.

Following this notification, school principals will be contacted by the social worker to initiate a review of the content of the student's pupil file. Both the cumulative and pupil support components of the pupil file should be made available to the social worker. The social worker will recommend items that should be placed in the new file under the student's adoptive identity; however, the school principal shall make the final determination of content to be used to create the new pupil file.

The items that will comprise the new pupil file should be copied and provided to the social worker. The social worker may take the copied student information off-site for the purpose of de-identifying the information to ensure that the student's birth and adoptive identities cannot be linked by information contained in the new pupil file. When the de-identification process is complete, the social worker will return the copies of the student's pupil file information to the school principal.

School principals may now:

- a) create the new pupil file under the student's adoptive name and the new MET # with the de-identified information provided by the social worker;
- b) retire the original pupil file to a new location that ensures the confidentiality of the file; and
- c) forward the new pupil file to the student's receiving school.

In circumstances where the student does not change schools, the same process of creating a new pupil file and de-identifying the information should be undertaken. The original pupil file should be stored in a secure location that ensures the confidentiality of the file.

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

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At all times during this process, the file(s) must be adequately protected from unauthorized access, disclosure, loss or destruction.

3.3 Retention and Destruction of Pupil Files

[Manitoba Education Guidelines on the Retention and Disposition of School Division/District Records](#) stipulate:

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4 Student Records

	Item	Retention	Disposition
4.1	Academic records Grades 9-12 (Student Marks)	30 years	DESTROY
4.2	Enrollment files		
(i)	Include: Daily attendance	10 Years (registers up to 1967 - transfer to School Archives)	DESTROY
(ii)	Annual enrollment (September)	7 Years (registers up to 1967 - transfer to School Archives)	DESTROY
(iii)	Monthly enrolment reports	7 Years (registers up to 1967 - transfer to School Archives)	DESTROY
4.3	Pupil Files (Refer to the <i>Manitoba Pupil File Guidelines</i> for further information.) <u>Note:</u> School principals are required to forward a pupil's pupil file when the pupil transfers to another school.		
(i)	Cumulative File Component (Transferable, Refer to the <i>Manitoba Pupil File Guidelines</i> for further information.)	10 years after the student ceases to attend a school operated by the Board if the pupil file has not been transferred to another school.	DESTROY
(ii)	Pupil support file component (Transferable, Refer to the <i>Manitoba Pupil File Guidelines</i> for further information.) Note re: Personal Health Information Subsection 17(4) of PHIA	10 Years after the student ceases to attend a school operated by the Board if the pupil file has not been transferred to another school. Where Personal Health Information is involved a record must be kept of: the individual whose personal health information is destroyed, the time period to which the information relates; the method of destruction and the person responsible for supervising the destruction (see PHIA)	DESTROY

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(iii)	Young offender file component (Not transferable – Refer to the <i>Manitoba Pupil File Guidelines</i> for further information.)	Retained until information is no longer required for the purpose for which it was established or until student transfers out of school. Destruction of the information must be carried out in a manner protecting the privacy of the pupil and meet the requirements of Youth Criminal Justice Act (YCJA)	DESTROY IMMEDIATELY
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Inactive Pupil Files

Schools are to retain student files on site for 10 years after last attendance at which time they are deemed inactive.

Once the pupil file is inactive:

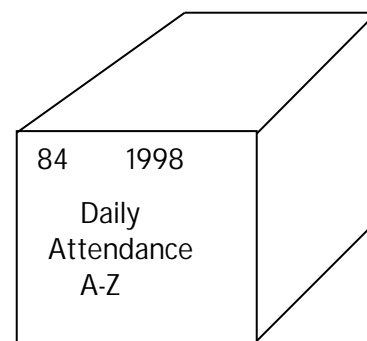
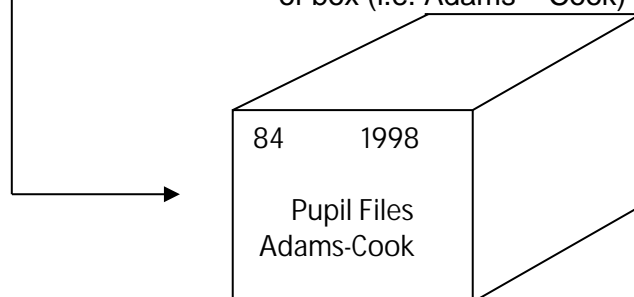
Annually, schools will cull inactive pupil files in preparation for storage.

- All components of the pupil file (as identified in the CUM file insert) are amalgamated.
- Youth Criminal Justice file information is destroyed
 - Ø Destruction via shredding
- Educationally relevant information will be retained in the pupil file thus ensuring optimal information should the pupil return to the education system
 - Ø Culled information is destroyed via shredding.

Boxing for Storage

- Culled pupil files are to be boxed alphabetically in standard sized storage boxes.
- For each box, compile a list detailing the contents (include student's last name, first name, date of birth and first and last years attended). Staple the CUM file inserts to the master list and maintain in an office file.
- Indicate the following on the storage box:

- Ø School number in upper left hand corner of short side of box
- Ø Last year attended in the upper right hand corner of short side of box
- Ø Description of Box Contents
- Ø Alphabetical sequence the box holds in centre of short side of box (i.e. Adams – Cook)



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4.0 RESOURCES ON THE INTERNET

Address	Description
www.gov.mb.ca/fippa	Manitoba Government Information about FIPPA for the public and for administrators and the School Division/District Directory or Records
www.ombudsman.mb.ca	Manitoba Ombudsman Basic information about the role and practices of the Ombudsman's Office and the governing Acts
www.edu.gov.mb.ca/metks4/docs/policy/retention/index.html	Manitoba Education Guidelines on the Retention and Disposition of School Division/District Records
www.edu.gov.mb.ca/metks4/docs/policy/mbpupil/index.html	Manitoba Education Manitoba Pupil File Guidelines

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