CUMULATIVE RECORDS AND STUDENT RECORDS

Background

Student records provide permanent, factual, objective and professional documentation of each student's attendance, academic progress, achievement reports, adaptations, specialized reports related to the student’s educational program and personal demographic information. These records are confidential. They are used to provide a working profile of students who are enrolled in the school, and are used by the staff to help provide appropriate educational programming and supports for students from year to year. They are also valuable for assisting in the successful transition of students to another school. The cumulative record shall be the official working record for students currently enrolled in Division schools. Federal and provincial privacy and information sharing legislation have been followed in the creation, maintenance and use of cumulative records.

All personal information is subject to the provisions of the Local Authority Freedom of Information and Protection of Privacy Act (LAFOIPP).

Procedures

1. Responsibility
   1.1 The Principal is, except as otherwise noted, responsible for the collection, maintenance and release of student records, including the Cumulative Record.
   1.2 The Principal is responsible for ensuring that the cumulative record is successfully transferred to the student’s new school.
   1.3 Principals are responsible for creating, updating, maintaining, storing and transferring the cumulative record.
   1.4 The classroom teacher is responsible for entering data in the cumulative record, under the supervision of the principal.
   1.5 The classroom/homeroom teacher is responsible for completing the cumulative record log (Appendix B). In September of each school year the teacher will go through the cumulative record to gain an understanding of the need of the students in his/her classroom. In June of each school year the teacher will update the contents of each cumulative record, check off the appropriate boxes on the cumulative record log for the current school year and cull the contents as necessary.
   1.6 Principals are responsible for ensuring the contents of a cumulative record are updated and culled annually.
2. Cumulative Records

2.1 Every student in the Division shall have a cumulative record.

2.2 The cumulative record shall be the property and responsibility of the Division while the student is enrolled in the Division.

2.3 When the Cumulative Record is transferred, responsibility for the record is also transferred.

2.4 A cumulative record file shall contain all information affecting decisions pertaining to the education of a student that is collected or maintained by the Division, regardless of the format in which it is maintained and stored (i.e. paper or electronic).

2.5 The Division is responsible for ensuring that at all times records are kept in a safe, secure environment and are protected against accidental loss and unauthorized access.

The record shall include:

2.5.1 The student’s name as registered under the Vital Statistics Act, or, if the student was born in another jurisdiction, the student’s name as registered in that jurisdiction.

2.5.2 Other names by which the student is known.

2.5.3 Birth and gender of the student.

2.5.4 Student’s provincial Learning Identification Number (LID) at registration.

2.5.5 The name(s), addresses and telephone number(s) of the student’s custodial parent(s) or guardian(s). Review and cull annually.

2.5.6 The names of other parents/guardians that may have custody orders that permit or restrict access to their child or the child’s personal information. Review and cull annually.

2.5.7 Medical information pertinent to program planning that the parent or student provides. Review and cull annually.

2.5.8 In the case of a Prekindergarten or Kindergarten child, any summary of developmental growth and learning.

2.5.9 Shall contain all information affecting decisions pertaining to the education of a student that is collected or maintained by the Division, regardless of the format in which it is maintained and stored (i.e. paper or electronic).

2.5.10 Suspension letters completed according to division policy.

2.5.11 Threat Risk Assessment Notification (Appendix A).

2.5.12 Threat Assessment Action Plan(s)

2.5.13 Cumulative Record Log (Appendix B) to be included in cumulative records that are being transferred to another school.
2.5.14 Student’s results of diagnostic tests or other assessments pertinent to program planning, including but not limited to psychological reports, speech and language pathologist reports, occupational therapists’ reports, etc., including related parental consent forms.

2.5.15 Factual and objective information regarding a student’s academic progress, mid-term and final marks, report cards and if appropriate a record of adaptations at the end of each grade or semester.

2.5.16 Annual summary of student attendance must remain permanently.

2.5.17 For a student that has an Inclusive and Intervention Program Plan (IIP), a copy of the current and prior year’s plan. Review and cull annually.

2.5.18 Copy of current and prior year’s Collaborative Teams Plan(s), Behaviour Intervention Plan(s), QBS Plans and Classroom Intervention Plans(s). Review and cull annually.

Note: When reviewing cumulative files, information that is not necessary for the continuing educational needs of the student should be removed and destroyed accordingly.

2.6 A cumulative record is not to include the following information:

2.6.1 Personal counselling notes regarding student. Counselling notes should be stored separately by counselling staff.

2.6.2 Information related to a threat risk assessment. This information is to be sent to division office to be stored separately.

2.6.3 Information related to a 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 is to be stored separately in a secure location and destroyed when information is no longer required for the purpose for which it was disclosed.

2.6.4 Scores from screening tools that assess preschool-aged children’s readiness for formal learning (ex. The Early Development Instrument and Early Years Evaluation, among others) should not follow the child through his/her school career and, accordingly, should not be retained after Grade 1.

3. Procedures for Name Changes for Adopted Children

3.1 There is no explicit requirement in LAFOIPP that compels a school to take reasonable steps to protect the confidentiality of students’ personal information. However, section 28 of LAFOIPP requires that a board of education or the CSF (as a local authority) not disclose personal information in its control without the consent of the individual to whom the information relates and for the purpose for which it was collected. A person who does not have a legitimate "need to know" should not have access to a student’s personal information. Therefore, schools should take reasonable steps to protect students’ personal information and guard against unintended disclosure.
While the confidentiality provision in *The Adoption Act, 1998*1 (section 29.4) does not compel school divisions or the Ministry of Education to preserve the confidentiality of information related to a child's adoption, the process described in the confidentiality clause is consistent with the intentions of that provision and will assure that birth family information is maintained as highly confidential information when an adoption occurs.

3.1.1 The school principal will contact the ministry's Student and Educator Services Unit to request a new Learning Identification Number (LID) for the student.

3.1.2 Student and Educator Services Unit will create a new LID in the Student Data System (SDS) and merge the previous and new records. Student and Educator Services Unit will remove all aliases and previous addresses for the student in the SDS and the school principal must remove this information from the student's Cumulative Record.

3.1.3 The school principal will create a new Cumulative Record for the student. The principal will also complete the "Change of Name/Change of Birthdate" (Form 10)2 from the *Registrar's Handbook for School Administrators* and submit it to the Student and Educator Services Unit.

3.1.4 To ensure that the identity of the adopted student remains confidential and that the student receives the best education possible, all information related to the student's previous assessments must be retained.

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2 [http://www.education.gov.sk.ca/Form-10-Change-of-Name-Change-of-Birthdate](http://www.education.gov.sk.ca/Form-10-Change-of-Name-Change-of-Birthdate)

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4. Procedures for Name Changes for Students who have a gender change

4.1 As noted above, schools should take reasonable steps to protect students' personal information and guard against unintended disclosure.

4.1.1 The school principal will contact the ministry's Student and Educator Services Unit to request a new LID for the student.

4.1.2 Student and Educator Services Unit will create a new LID in the SDS and merge the previous and new records. Student and Education Services Unit will remove all aliases and previous addresses for the student and the school principal will remove this information from the student's cumulative record.

4.1.3 The school principal will create a new Cumulative Record for the student. The principal will also complete the "Change of Name/Change of Birthdate" (Form 10) from the *Registrar's Handbook for School Administrators* and submit it to the Student and Educator Services Unit.
4.1.4 To ensure that the identity of the student remains confidential and that the student receives the best education possible, all information related to the student’s previous assessments must be retained.

5. Access to Records

5.1 Access to records will be granted:

The guiding principle in determining who should have access to the record is provided by section 28(2) (a) of LAFOIPP that states:

28(2) Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed:

(a) For the purpose for which the information was obtained or compiled by the local authority or for a use that is consistent with that purpose.

5.1.1 To a student whose parents or guardians are present when access is granted.

5.1.2 To a parent or guardian of a student, where the student is dependent on the parent or guardian.

5.1.3 Individuals involved in delivering educational services or supports to the student.

5.1.4 Individuals involved in overseeing the delivery of services and in meeting the Ministry of Education reporting requirements (employees of the Board, the principal, and the support personnel in the school).

5.1.5 In circumstances involving custody arrangements, it is generally assumed that both parents have equal access unless a court order or separation agreement provides otherwise (a copy of the most recent order or agreement is to be included in the student’s record).

5.1.6 To a student who is eighteen (18) years of age or older.

5.1.7 To a student who is sixteen (16) years of age or older and is living independently.

5.1.8 Duly authorized officers of the Ministry of Education.

5.1.9 A youth worker, as defined in the Youth Criminal Justice Act, who requests access for purposes of that Act.

5.1.10 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 the student eighteen (18) years of age or older. Letters of authorization for information release shall be retained by the issuing authority.

5.2 Requests for access to the cumulative file of a student currently enrolled in a school must be made to the Principal. The Principal or designate must be present when the file is viewed to interpret information as may be required.
5.3 Requests for access to student records of students no longer attending a school must be made to the Director or designate. The Director or designate must be present when the file is viewed to interpret information as may be required.

6. Transfer and Receiving of Records

6.1 Timely and successful transfer of the Cumulative Record allows educational professionals to share relevant information, design and appropriate program, and provide the supports that the student requires. This shall ensure that the student has the best possible opportunities for success. The Ministry of Education has developed a function within the SDS that will assist principals in tracking cumulative records.

6.2 When a Cumulative Record is requested ensure the Cumulative Record (Appendix B) is updated.

6.3 Requesting and Transferring Procedures:

6.3.1 Student records shall be transferred between schools upon request of the Principal of the receiving school.

6.3.2 The Principal is responsible for successfully transferring the cumulative folder to the new school.

6.3.3 The receiving school completes the form located in Appendix A to request the student’s cumulative folder from the previous school. The Student Data System (SDS) provides an indicator of the last location of the student’s cumulative record.

6.3.4 Upon receiving a request to transfer a cumulative record, the Principal shall send the cumulative record using the most cost effective, secure method that will allow the package to be tracked. Options can include Registered Mail, Priority Post and Courier to the student’s new school within three (3) working days.

6.3.5 The request form, which indicates the date that the Cumulative Folder was sent, accompanies the Cumulative Record.

6.3.6 Upon receipt, the school updates the location of the cumulative folder in the SDS.

6.3.7 When a student transfers to a custody school, the student’s cumulative record is to remain at the school from which s/he transferred. When program decisions for the student are being made by the Custody school, a Custody official is to contact the Principal from the student’s previous school to discuss programming decisions and request any necessary information from the student’s file.

6.4 If a Principal does not receive a request for a cumulative record within a reasonable amount of time after a student has left the school, the following steps are to be taken:

6.4.1 The Principal is to run a Not Re-enrolled Report through the SDS to determine whether the student has re-enrolled in another school.
6.4.2 If the student appears as “not re-enrolled”, steps are to be taken to determine the location of the student. It is expected that the Division will continue to make efforts to re-engage the student in school.

6.4.3 If the student does not appear on the Not Re-enrolled Report, the student may have registered in another school, left the province, passed the school-leaving age of sixteen (16), or is deceased.

6.4.4 At this point, the sending school is to retain the cumulative record. It is recommended that the Principal contact the Coordinator of Curriculum to determine if other information is available concerning where the cumulative record is to be sent.

6.5 When a student withdraws or graduates, the Principal must ensure that a student’s permanent record in the SDS is an accurate reflection of all courses taken and marks attained.

6.6 As the cumulative record is necessary for a child’s education and the transfer is consistent with the purpose for which the information is collected, permission from the student’s parent or guardian is not required for a Principal to release a cumulative record to another Division.

6.7 If a cumulative record arrives at a school but the student is not currently registered in the school:

6.7.1 The school is to check first with the school division office to determine if the student is enrolled in another school in the division.

6.7.2 If the student is not enrolled in the division, the school should contact the Coordinator of Curriculum to confirm whether the student is enrolled in another school.

6.7.3 If no current school can be determined, the Cumulative Record should be returned to the most recent school that the student attended.

6.8 If a student leaves a school and the Cumulative Record is not requested:

6.8.1 The “students not re-enrolled” reporting function in SDS can be used to generate a list of not enrolled students.

6.8.2 If the student’s name appears on the report, the student has not enrolled in a Saskatchewan school. It is expected that the school division will continue to make efforts to re-engage the student in school.

6.8.3 If the student’s name does not appear on the report, the student has enrolled in another Saskatchewan school; left the province, passed the age of 16, or may be deceased.

7. Transfer Out of Province

7.1.1 The original cumulative record is to remain in Saskatchewan.

7.1.2 Parents can be given a copy of the student’s cumulative record. The information then becomes the responsibility of the parent and the parent can provide the information to another jurisdiction.

7.1.3 A copy of the cumulative record can be sent directly to schools outside Saskatchewan and in Canada as long as the original record is retained.
8. Retention of Records

8.1 The Division is required to retain records only for as long as they are needed for the purposes that they were collected or created.

8.1.1 Cumulative records and the marks contained in them will be retained for at least three (3) years after the student turns twenty-two (22) years of age.

8.2 Division Responsibilities

8.2.1 LAFOIPP requires that the Division retain records, including grades and marks, for as long as they are needed for the purpose that the Division collected or created them.

8.2.2 It is critically important for schools to ensure that information for grades 10, 11, and 12 final marks has been submitted to the Ministry of Education.

8.2.3 The Division is responsible for validating records when a student leaves the school. On line access to the student’s record in the SDS is available for up to one hundred and twenty (120) days after withdrawal from the SDS.

8.2.3.1 Failure to validate the data could lead to liability for the Division in the event that the student suffers damages because of the inaccuracy or incompleteness of the information).

8.2.4 The Principal is to advise secondary level students of their responsibility to retain their individual records, such as grades and classes completed.

8.2.4.1 Students are to be informed of the Division’s retention period for these records.

8.2.5 Before disposing of older records (i.e. records existing prior to the implementation of LAFOIP in 1995), the Division will take reasonable steps to inform the public that the records will no longer be available. This may include placing the information in newsletters, on websites and in newspapers or other public media.

8.2.5.1 The destruction of records without validation can have serious consequences for individuals who want to enroll in post-secondary education institutions or apply for employment.

8.3 When a student withdraws or graduates, the Principal must ensure that a student’s permanent record in the SDS is an accurate reflection of all courses taken and marks attained.

Reference: Sections 85, 87, 109, 175, 231 Education Act
Local Authority Freedom of Information and Protection of Privacy Act
Vital Statistics Act
Youth Criminal Justice Act