



ADMINISTRATIVE PROCEDURE STUDENTS, PARENTS AND COMMUNITY	
Effective:	January 16, 2017
Last Revised:	

PRIVACY AND DISTRIBUTION OF PERSONAL INFORMATION

1. PURPOSE

This administrative procedure supports the Rainbow District School Board in fulfilling its obligations regarding the protection of and access to personal information.

2. DEFINITIONS

Personal Information: Personal information means recorded information about an identifiable individual as defined under the *Education Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Personal Health Information Protection Act*.

3. APPLICATION

This administrative procedure applies to Rainbow District School Board students, staff members, volunteers, parents/guardians, school council members, trustees, as well as members of the public.

4. Privacy of Personal Information

- 4.1. Rainbow District School Board collects information only as required and authorized by law, to provide for the education of students, the recruitment of volunteers, and the recruitment and employment of staff.
- 4.2. The board distributes names and addresses of individuals only under the circumstances set out in section 10 below.
- 4.3. The management of personal information collected by the board for these purposes is in accordance with the provisions of the *Education Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Personal Health Information Protection Act*.

5. Accountability and Responsibility

Under the *Municipal Freedom of Information and Protection of Privacy Act*, the board is responsible for personal information under its control and designates the director of education as accountable for the compliance of privacy legislation

6. Specified Purpose and Consent

- 6.1. The purpose for which personal information is collected and the authority for the collection shall be communicated to individuals at the time of collection.
- 6.2. The consent of the individual is required for the collection, use, and disclosure of personal information, except where otherwise permitted by law. When an individual is below the age of consent, consent must be provided by the parent or guardian.

7. Limited Collection, Use, Retention, and Disclosure

- 7.1. The collection of personal information shall be limited to that which is necessary for specified purposes in accordance with statutory duties and responsibilities.
- 7.2. Personal information shall not be used, retained, or disclosed for purposes other than those for which it was collected, except with the written consent of the individual to whom it relates or as authorized or required by law. Personal information shall be retained in accordance with the board's retention schedule.

8. Safeguards

Personal information shall be secured and protected from unauthorized access, use, disclosure, and inadvertent destruction by adhering to safeguards appropriate to the sensitivity of the information

9. Access and Correction

- 9.1. Upon request, an individual will be given access to his/her personal information in accordance with privacy legislation, subject to any mandatory or discretionary exemptions.
- 9.2. An individual has the right to request a correction to the information or to have a letter/statement of disagreement retained on file.
- 9.3. An individual will be advised by the party receiving the request of any third party service provider requests for his/her personal information in accordance with privacy legislation.

10. Distribution of Names and Addresses of Students, Staff, Parents/Guardians, and School Council Members

- 10.1. Rainbow District School Board will collect and provide names and addresses of students, staff, parents/guardians, and school council members as governed by the *Education Act* and regulations, the *Municipal Freedom of Information and Protection of Privacy Act*, other relevant legislation, and applicable sections of staff collective agreements.
- 10.2. The distribution of such information must be expressly authorized by legislation, used for the purposes of law enforcement, or used for a lawfully authorized activity such as the administration of education or the public's right to information.

- 10.3. Access to information is always balanced by an individual's right to privacy.
- 10.4. Personal information will be collected directly from the individual to whom it relates and the individual will be given notice of the collection; the authority for the collection; the primary purpose or purposes for which the information will be used; and the title, business address and business telephone number of a person who can answer questions about the collection. [There are a limited number of specific circumstances where these standards for collection of personal information do not apply.]

11. Examples of Distribution of Names and/or Addresses

- 11.1. Under Ontario Regulation 298, the principal of a school is required to publish names of the school council members no later than thirty days following their election. Only the names of successful candidates shall be made public. This information may be posted on the school's website and in the school, and may also be published in the first school newsletter sent out after the elections.
- 11.2. Under Ontario Regulation 612/00, the Ministry of Education may now request that school council members provide their names, mailing addresses, telephone numbers, and e-mail addresses should they want to receive directly any information related to the role of the council or to education in general. The provision of this information is voluntary on the part of school council members. Members may be assured that information gathered in this way is used only for the purposes of consulting and communicating directly with school council members.

REFERENCE DOCUMENTS

Legal:

Education Act, section 266 Pupil Records
Municipal Freedom of Information and Protection of Privacy Act
Personal Health Information Protection Act
Personal Information and Protection of Electronic Documents Act
The Ontario Student Record Guideline
The Ontario School Boards and Authorities Privacy Standard
Ontario Regulation 298 Operation of Schools, section 11 Duties of Principals
Ontario Regulation 612/00 School Councils and Parent Involvement Committees

Board:

Administrative Procedure Acceptable Use of Information and Communication Technologies
Administrative Procedure Parent/Guardian Communications

Resource:

Ontario Ministry of Education. *School Councils: A Guide for Members*. Revised 2002.