

Purpose

The division has historically provided many different types of information openly to the public, where applicable under the Freedom of Information and Protection of Privacy (FOIP) Act, through both routine disclosure and active dissemination and, where appropriate, will continue to do so. This procedure outlines how a stakeholder or member of the public can request access to, or correction of, Personal Information.

Background

The FOIP Act controls how a local public body collects, uses, discloses and disposes of personal information. The FOIP Act also allows access to information, while protecting personal information. All requests for access to, and correction of, information must adhere first and foremost to the FOIP Act but also to RVS policies, procedures and processes.

Definitions:

Record

Any record of information in any form, including notes, images, et al. that produce a record.

Personal Information

Recorded information about an identifiable individual including:

- name;
- home or business address or;
- home or business telephone number;
- race, national or ethnic origin, colour;
- religious or political beliefs or associations;
- age, sex, marital status or family status;
- identifying number (i.e. Student Number, Staff ID);
- symbol or other particular assigned identifier;
- fingerprints, biometric information, blood type, genetic information or inheritable characteristics;
- individual's health and health care history, including information about a physical or mental disability;
- information about the individuals' education, financial employment or criminal history;
- opinions about the individual;
- the individuals personal view or opinions except if they are about someone else.

Procedures

1. Access to information is a right of the general public. This right must be balanced by appropriate protection of the privacy of personal information. The Division will provide access to information in its custody and control in a manner consistent with this Administrative Procedure and with the five (5) fundamental principles upon which the FOIP Act was developed to:

- 1.1 allow a right of access to any person to the records in the custody or control of a public body subject only to limited and specific exceptions;
- 1.2 control the manner in which a public body may collect, use and disclose personal information;

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- 1.3 allow individuals, subject to limited and specific exceptions, the right to have access to information about themselves which is held by a public body;
 - 1.4 allow individuals the right to request corrections to information about themselves held by a public body; and
 - 1.5 provide an independent review of decisions made by a public body under the FOIP Act.
2. Divisional authority is as follows:
 - 2.1 The Superintendent is the Head of the Division for the purposes of the Freedom of Information and Protection of Privacy Act.
 - 2.2 The Associate Superintendent of Business and Operations, as FOIP Coordinator, is responsible for ensuring that the Division complies with all provisions of the Act and for establishing procedures and practices to ensure appropriate implementation and management of this legislation.
 - 2.3 The Principal of each school shall be the site coordinator for the purposes of the FOIP Act. Principals are responsible to ensure the protection of personal information at their schools and direct inquiries about disclosure of information to the Associate Superintendent of Business and Operations.
 3. When providing information in compliance with a request for access to information, and in accordance with the FOIP Act, the Division reserves the right to redact or remove personal identifiers that are deemed to be of a personal and or sensitive nature in order to protect the rights of the individual, in conformance with the FOIP Act.
 4. Individuals, subject to limited and specific exceptions, have the right to access information about themselves held by the Division. Access to information requests will fall under one of the following categories. If unsure of how to proceed contact the [Business and Operations Department](#) Records Management Assistant. Fees associated with a FOIP request are outlined in the FOIP Act.
 - 4.1 Request by the student, or parent/guardian, to whom the information pertains:
 - 4.1.1 The individual, or the parent/guardian of the individual, must provide complete form AF180-C request to access the students file, as well as show proof of identification. The School Principal, if the student is a current student, is responsible for examining the file prior to parent/guardian access to ensure the personal information of other individuals is not compromised. If the student has graduated or left the province of Alberta the request will be submitted to the [Business and Operations Department](#)'s Records Management Assistant who will review the file before providing access.
 - 4.1.2 Official Transcripts will need to be requested by the individual or parent/guardian, directly from Alberta Education at 780-427-5732 or through the Provincial MyPass system.
 - 4.1.3 If the Student/Parent/Guardian wishes to have a copy of any documentation in the student file they will need to fill out form AF180-C or provide a written request.

This is to include the student name, date, information requested and signature. The Principal, for current students, will send the document requested with the form to the Business and Operations Records Management Assistant who will ensure the information provided is not a breach of FOIP legislation and will complete any necessary redactions. If the student is no longer a student at RVS, Form AF180-C will need to be submitted to the [Business and Operations Department](#) Records Management Assistant rather than the school Principal. Upon receipt of fees, if applicable, the information will be released. Form AF180-C or a written request will be retained with the student file for 28 years from the date of birth of the student. The following will be requested on Form AF180-C:

- 4.1.3.1 The full legal name, and all names by which the individual was known at RVS
- 4.1.3.2 Date of birth
- 4.1.3.3 Current mailing address
- 4.1.3.4 A phone number where the Records Manager or Principal can reach the individual requesting access to information.
- 4.1.3.5 Last RVS School the student attended
- 4.1.3.6 Last RVS grade completed
- 4.1.3.7 Approximate year the last grade was completed
- 4.1.3.8 Student number (if known)

4.2 By a third party seeking to obtain general information

- 4.2.1 Form AF180-A must be completed and submitted to the [Business and Operations Department](#).
- 4.2.2 The request will be responded to in compliance with the FOIP Act and the timelines outlined within.
- 4.2.3 If a fee is required for processing, payment must be made before the information will be released.

4.3 From an enforcement agency (RCMP or Police Agency)

- 4.3.1 Form AF180-F is to be filled out. This provides a tangible record and is maintained with the file that is accessed.

4.4 Surveillance Video Requests must be completed through the applicable forms above.

5. Individuals have the right to request corrections to information about them held by the Division. Requests for Corrections to Personal Information will be processed as follows:

- 5.1 For changes to staff personal information, the request must be made **by the employee** in the Human Resources Management System.

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- 5.2 If the staff member is deceased, or physically unable to complete the request, the request for correction must be made in person to the Human Resources Department with proof that the requestor can legally act on behalf of the staff member.
 - 5.3 For changes to student information parent/guardians are to complete the student demographics form or contact the school Principal. Alternatively form AF180-E could be utilized if the individual is no longer an RVS student. The form can be submitted to the Records Management Assistant at (busops@rockyview.ab.ca).
 6. Requests for access to information are tracked by the Business and Operations Department. All request that meet the following criteria must be reported to busops@rockyview.ab.ca:
 - 6.1 Information to which the individual requesting access is not privileged, either as an employee of RVS or as a parent/guardian;
 - 6.2 Any request in which a copy of a document or written confirmation of information, outside of the information outlined in Education Act and Student Record Regulation, is provided in response to the request; or
 - 6.3 Any requests that pertain to RVS as a corporation as a whole and not to a specific individual.

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References

- i. External Legislation:
 - The Education Act Section 33, 52, 53, 65, 68, 197, 222
 - Freedom of Information and Protection of Privacy Act
 - FOIP Regulation 200/95
- ii. RVS Policies and Procedures:
 - AP140 – Responsible Use of Technology
 - AP143 – Teachers’ Digital Presence
 - AP144 – Public Use of Student Images/Work
 - AP146 – Standardized E-mail Signature Block & Best Practice for Corporate E-mail
 - AP147 – Use of RVS Computer Devices
 - AP182 – Protection of Privacy
 - AP185 – Records Management
- iii. RVS Forms:
 - AF180-A FOIP Request Access to Information
 - AF180-B Consent for release of Information – Independent Student to Parent or Legal Guardian
 - AF180-C FOIP Request Access to Student Information (student/parent/guardian)
 - AF180-E FOIP Request for to Change Student Personal Information
 - AF180-F Request for Information from Law Enforcement
 - AF180-G Informed Consent – Data Sharing Agreement



- iv. RVS Handbooks and Manuals
 - FOIP/Privacy Notice/Terms of Service
 - School FOIP FAQ
- v. Contact/Branch
 - Business and Operations (<mailto:busops@rockyview.ab.ca>)