

Title: Student Confidentiality Policy	Number: 6.01.0710.3
Approved by the Board of Governors Date: July 05, 2010	Implementation Date: August 01, 2010
History: Revised Approved by the Board of Governor: June 20, 2017 Scheduled Review Date: May 2020	Origin: Board of Governors

RATIONALE

The College respects the confidentiality of student information and has a policy to address the access to and disclosure of and access to information contained in student educational records. The College supports the privacy of students by protecting information that is created, maintained and used by its Departments, and provides access to these records.

DEFINITION

Applicant – an individual who made a formal application to an institution seeking admission.

Directory Information - information that would not generally be considered harmful or an invasion of privacy if disclosed to a third party or the general public. This includes the following information: student's name, address, telephone number, date and place of birth, honours and awards, major field of study, dates of attendance, admission or enrolment status, campus, department, class standing, activities, sports and athletic information.

Education records – those records that contain information directly related to a student and which are maintained by an educational agency or institution, regardless of the medium.

Legitimate educational interest – if a school official needs to review an education record in order to fulfil his/her professional responsibility.

School officials – includes parties such as lecturers, administrators, health staff, counsellors, clerical staff, attorneys, board members, members of committees and disciplinary boards.

Student - an individual who, regardless of age, has been accepted into a post-secondary institution and has registered for classes. This includes current and former students.

POLICY

Access to and Disclosure of Information

- 1.) Administrative, faculty, and academic support staff who have a legitimate educational interest, and who require access to information contained in student records in the course of their normally assigned duties, shall have right of access.
- 2.) Students have the right to inspect their own official records and authorize their release to an outside source by signing the *Release of Information Form*, available in the Registrar's office. Through the use of this form, a student can specify information to be released and to whom the information is to be released. Without this authorization, the College will not provide confidential student information, with the exception of "directory information" and to special individuals/agencies as enumerated below. Directory information may be released freely unless the student has indicated otherwise on the *Directory Withholding Information Form*.

The College reserves the right to disclose information contained in student records, without student consent, to the parties listed below:

1. School officials with legitimate educational interest;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;
4. Appropriate parties in connection with financial assistance to a student;
5. Organizations conducting certain studies for or on behalf of the school;
6. Accrediting organizations;
7. Agencies presenting judicial orders;
8. Authorized government agencies; and
9. Appropriate officials in cases of health and safety emergencies.

College personnel are authorized to use whatever information they deem necessary to comply with applicable laws and protect the health and safety of persons and property.

Student Notification

Students are notified of their rights pertaining to accessing their information via the Student Handbook, College Catalogue, and the website.

Custodian of Records

Students' confidential records may be the custody of only one department. Only those various college departments are authorized to determine the release of records in their possession.

RECORD TYPES	RESPONSIBLE DEPARTMENT	CUSTODIAN
Admission Records	Registry	Registrar
Academic Records	Registry	Registrar
Financial Records	Fiscal Services Office	Bursar
Health Records	Student Success Centre	Campus Nurse
Disciplinary Records (Behavioral)	Student Success Centre	Director, SSC
(Academic)	Deans' Offices	Deans

Rights of Students

Students have the right to:

- Withhold disclosure, in the absence of prior consent for release, of personally identifiable information from their student records, with exceptions under special circumstances only;
- Inspect and review records, including records of disclosure with the exception of those from judicial orders and parental financial information;
- Seek to have records amended;
- File a complaint following the procedure outlined in the Student Code of Behaviour policy;
- Be informed of their rights.

Records of Requests for Disclosure

With the exception of disclosures to school officials, disclosures of directory information and disclosures to students, the College will maintain a record of all requests for and/or disclosures of information from a student's education records, as specified in the policy. The record will indicate the name and organization of the party making the request, any additional party(ies) to whom it may be re-disclosed, if known, and the legitimate interest the party had in requesting or obtaining the information.

Records of Deceased Students

Initially, upon a student's death, the education records will remain private documents and may be released only upon the written consent of the executor/executrix (personal representative) of the estate. If no personal representative has been appointed, rights to access education records may be exercised by the surviving spouse, any child of the decedent, or if there is no surviving spouse or children, the parents of the decedent. Documentation regarding the status of the requester will be required.

Student Counselling Records

Records that are the result of private counselling sessions shall be kept confidential and secure by the Student Success Centre. The Centre retains these confidential records for five years, after which time they may be destroyed. Access to information contained in these records must be granted by the Director of the

Student Success Centre, who makes every effort to protect the privacy rights of students unless, in his/her professional judgement, one or more of the following conditions exists:

- It becomes clear that a student might do serious harm to self or others;
- The counsellor believes a student under the age of 16 is the victim of incest, rape, child abuse, or other crime.
- The counsellor determines the student needs hospitalization;
- Information is made an issue in a court action;
- Students request that their records be released to themselves or to a third party;
- There is evidence of abuse of the elderly and of dependent adults.

PROCEDURE

The following procedures apply to access to and release of information contained in student records:

Request by Student:

1. Current and former students who wish to view their record must submit a written request to the identified records custodian. Requests submitted via email must originate from the student's HLSCC email account. Students will be required to provide proof of identity before they are allowed access to any records.
2. Within ten (10) business days of submitting a request for release of information, the records custodian or designate will make the necessary arrangements for access and will notify the student of the time and place where the records may be inspected. The student may be given supervised access to inspect and review their records or copies of the records. Furnishing the student with a copy of the records constitutes providing access to the records.
3. If the student cannot come to the department to review the records, the appropriate department shall provide copies. A fee of \$2.00 per page will be charged.
4. HLSCC reserves the right to deny copies of records, including transcripts, in any of the following situations:
 - a. The records requested are transcripts of an original or source document from another organization;
 - b. There is a financial or other hold on the student's account; and/or
 - c. There is an unresolved disciplinary action against the student.

Request for Amendment of Records:

- A. Students have the right to request a review and/or amendment to an education record that they believe is incomplete, inaccurate or misleading. Such requests must be submitted in writing to the Registrar, or other records custodian, and must identify the aspect of the record in contention and the reason(s) why the student believes it is incomplete, inaccurate or misleading. Students are able to correct an inaccurately recorded grade, but not to have the grade evaluated and changed.

- B. The appropriate record custodian will review the request, and notify the student of the decision within ten (10) business days. If the decision is the approval of the request, the record(s) will be amended as indicated.
- C. In cases where the decision is to deny the request, students will be informed in writing of the decision and their right to a hearing. The student will be given the opportunity to place in the record a statement commenting on the challenge information and/or a statement setting forth reasons for disagreeing with the decision. Such a statement will be maintained by the College, and will be included any time the contested portion is disclosed.
- D. Upon written request, the College will arrange for a hearing and notify the student, with reasonable advance notice, of the date, place and time of the hearing. The hearing will be conducted by a tribunal set up by the Vice President in consultation with the appropriate records custodian. The student will be afforded full and fair opportunity to present evidence relevant to the issue raised, and may be assisted or represented by an individual of his/her choice, at the student's expense.

Third Party Requests

- 1. In instances where a student wishes to grant access to a third party the student must give specific, written consent via the *Authorisation for Release of Information Form* regarding non-directory information. This form can be obtained from and shall be returned to the Registry. Requests for information must be documented on the student's file.
- 2. Requests for release of information on students by school officials must be routed to the Registrar or designee, and verification of legitimate interest must be conducted. Requests for information must be documented on student's file, noting method of request and outcome of request.
- 3. To release information to agencies such as media, courts, government agencies, etc. a written request, with supporting documentation must be submitted. Approval must be granted by the Registrar, and if necessary the Vice President. Requests for information must be documented on student's file, noting outcome of request, except instances of written consent from the student, directory information or a subpoena that prohibits disclosure to the student.

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Attachments:

- HLSCC Authorisation for Release of Information Form*
- HLSCC Confidentiality Agreement Form*
- HLSCC Directory Withholding Information Form*
- HLSCC Request for Information Form*

SUMMARY FOR RELEASE OF STUDENT INFORMATION

Requestor	Definition	Ask to See ID	Verify Need to Know	Obtain Written Permission from Student	Explain Limits on Re-disclosure	Record Request & Action Taken in Student File	Miscellaneous
The Student Requesting His or Her Own Records	Any person who attends or has attended the HLSCC	Yes. Check ID.	N/A	Yes if student is requesting to view file/ inspect records.	No	No	Student has NO right to view confidential letters or any financial information of parent in their education record.
Parent or Guardian / Spouse	Parent, guardian or individual legally acting as parent in the parent's absence.	Check to see if Release of Information Form is on file.	Maybe	Yes.	No	Only if request is denied.	Only person(s) designated on the Release of Information form can receive information unless court order states otherwise.
Faculty or Other School Official	College administrator, academic, or research employee.	No, unless doubt as to the official's identity.	Yes, even for an official, verify their legitimate interest.	Not necessary if official has legitimate educational interest.	Yes	Keep a record in the student's file, and indicate if request approved or denied.	Consult with supervisor or Registrar if in doubt of legitimate interest.
Other Parties Seeking Information	Media, courts, lawyers, sponsor, educational authorities, govt. agencies.	Yes.	Yes, as far as possible.	Maybe	Yes	Yes, unless have written consent from student, directory information or subpoena that prohibits disclosure to student.	Check if student has requested non-disclosure of directory information. This will be reflected in SONIS. Registrar must approve.