

STUDENT RECORDS ORDER

Authority: Independent School Regulation, section 9

Inspector's Order 1/07 (I 1/07) Effective October 10, 2007
Orders of the Inspector of Independent Schools

Interpretation

1 In this order

“**board**” means a board as defined in the *School Act*;

“**Form 1704**” means the most recent Ministry of Education Form 1704 entitled “Permanent Student Record”;

“**IEP**” means an Individual Education Plan as defined in Ministerial Order 41/91, the Educational Standards Order; and

“**Permanent Student Record**” means a record that includes the following:

- (a) Form 1704, completed in accordance with the Ministry of Education “Permanent Student Record Completion Instructions” that are effective at the time of completion,
- (b) the student progress reports for the two most recent years, or a copy of the Transcript of Grades, issued by the Ministry of Education, and
- (c) where letter grades are not set out in a student progress report for a student in grade 4, 5, 6 or 7, a written record of those letter grades.

“**Student Learning Plan**” means a student learning plan set out in the Career and Personal Planning 8 to 12 Integrated Resource Package (1997) educational program guide.

Student Records

2 An authority must ensure that each record established and maintained under section 9(1) of the Independent School Regulation includes:

- (a) the Permanent Student Record; and
- (b) a student file that contains
 - (i) all documents listed as inclusions on Form 1704,
 - (ii) a document, in the form required by the inspector, verifying the information about the student’s parent or guardian in respect of students eligible for funding,
 - (iii) a copy of the student’s current Student Learning Plan, if any, and
 - (iv) a copy of the student’s current IEP, if any.

Examination of Student Records

3 (1) A student and the parents of a student of school age are entitled,

- (a) on request and while accompanied by the principal or a person designated by the principal to interpret the records, to examine all student records kept by an authority pertaining to that student, and

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- (b) on request and on payment of the fee, if any, charged under subsection (2), to receive a copy of any student record that they are entitled to examine under paragraph (a).

(2) An authority may, for any copies of student records provided under subsection (1)(b), charge a fee that does not exceed the cost to the authority of providing the copies.

Retention Period

4 Subject to sections 5(1) and 5(3), an authority must retain the Permanent Student Record of a student for 55 years from the date the student withdraws or graduates from school.

Document Transfers

5 (1) An authority must transfer the Permanent Student Record, the current Student Learning Plan, if any, and the current IEP, if any, for a student, on receipt of a request from

- (i) the authority where the student is enrolled, to that authority, or
- (ii) the board where the student is enrolled, to that board.

(2) Where a former student of an authority is enrolled with an educational institution outside of the Province and the authority receives a request from the educational institution, the authority must transfer the current Student Learning Plan, if any, the current IEP, if any, and a copy of the Permanent Student Record of the student to that educational institution.

(3) Within 60 days of the closure of an independent school, the authority operating the school must transfer to the inspector the Permanent Student Record of any student that has not been forwarded to another authority or board in British Columbia.

Student Records Disclosure

6 (1) Every authority must, in its written procedures established under section 9 of the Independent School Regulation, permit the student record kept by the authority for a student or child to be disclosed to a person who is planning for the delivery of, or delivering, health services, social services or other support services to that student or child.

(2) Subject to any other legal authority or requirement that authorizes or requires disclosure, any person who receives information from a student record pursuant to subsection (1), must not disclose that information to any other person except for the purposes of delivering or planning the delivery of the services referred to in subsection (1).