



ADMINISTRATIVE PROCEDURE 180
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Background

The Division recognizes that all procedures for the collection and storing of information by Division staff in the course of affairs and procedures regulating the release of information to other parties must follow provisions of the Freedom of Information and Protection of Privacy Act (FOIPP).

The purposes of FOIPP and Division Administrative Procedures are to:

1. Allow any person a right of access to the records in the custody or under the control of the Division subject to limited and specific exceptions as set out in the Act;
2. Control the manner in which a public body may collect personal information from individuals, to control the use that the Division may make of that information and to control the disclosure by the Division of that information;
3. Allow individuals, subject to limited and specific exceptions as set out in the Act, a right of access to personal information about themselves that is held by the Division;
4. Allow individuals a right to request corrections to personal information about themselves that is held by the Division; and
5. Provide for independent reviews of decisions made by the Division under the Act and the resolution of complaints under the Act.

Procedures

1. The Superintendent has been named the Head of the Local Public Body for the purposes of this legislation.
2. The Assistant Superintendent - Business Services or designate shall act in the capacity of FOIPP Coordinator.
3. The Principal of each school shall be the site coordinator for the purposes of the Act. Site coordinators are responsible to ensure the protection of personal information at their schools and to direct inquiries about disclosure of information to the FOIPP Coordinator.

4. When fees are to be levied under the Freedom of Information and Protection of Privacy Act, the rates adopted by the Government of Alberta, as specified in Freedom of Information and Protection of Privacy Act Regulation 200/95, shall be confirmed as the rates used by the Division.
5. All persons making requests for the release of information shall be notified as to appeal provisions under this Act.
6. All requests for personal information under this Procedure are deemed to be information requests, but will adhere to timelines as if they were formal requests; or as prescribed under other legislation, regulation, Collective Agreement, Policy or Administrative Procedure.
7. Formal requests under the Act must be submitted in the manner prescribed by the Office of the Privacy Commission under the Act.

Personal Information

8. No personal information may be collected unless collection is specifically authorized by the School Act or the information relates directly to and is necessary for an operating program or activity of the Division.
9. The Division may use or disclose personal information only for the purpose for which it was collected or compiled or for a use consistent with that purpose, or if the individual the information is about has identified the information and consented to the use, or for purposes referred to in sections 40 or 41 of the Freedom of Information and Protection of Privacy Act.
10. The Division has a duty to maintain accurate and complete personal information used to make decisions about the individual. Under the Act an individual has the right to request a correction when the applicant believes an error or omission has been made.
11. Requests to access an individual's personal information, may be made by submission of a Request to Access Personal Information (Form 180-06).
12. Requests to access personal information of a minor, may be made by their parent or guardian, through completion of a Request to Access Student Records (Form 180-05).

Publications and Databases

13. All publications, following release, will be available in the Division office, for review by members of the public.
14. Databases and data files are records.

Public Access

15. The Division provides access to Division publications.
16. Persons requesting information must first contact either the school or Division office, whichever is responsible for creating or maintaining the information in question.
17. Access to information through the Freedom of Information and Protection of Privacy Act is intended as a last resort-if other attempts to acquire information have failed.
18. If the requested information is not available from the school, then the person requesting the information may apply to the designated Coordinator with their request.

Consent

19. Consent for Disclosures of student/parent personal information (Forms 300-01 or 180-03) must be obtained annually.
20. When the media or other organization is invited into a school, for a non-public event, parents of the children involved must receive prior notification of the invitation, including but not limited to:
 - ◆ Who the media or organization is;
 - ◆ What event or purpose they will have to be there; and
 - ◆ Precautions that will be taken if they do not wish to have their child's personal information (including photographs) taken by the media or organization, but will still allow the student to participate in the event.
21. Consent for release of personal information to a representative may be made to the Assistant Superintendent – Business Services, by completion of a Consent to the Disclosure of Information (Form 180-04).
22. Requests to authorize a representative of an individual with regards to rights under the Freedom of Information and Protection of Privacy Act can be made through completion of an Authorization of Representation (Form 180-07).

Verification of Identity

23. Prior to the release of any personal information, every effort will be made to confirm the identity of the person receiving the personal information as well as the individual making the request;
 - 23.1 through valid government issued photographic identification of the individual. To be valid:
 - ◆ It must be within any expiry dates evident on the identification; and

- ◆ It must be issued by a provincial or federal agency of Canada; or
- ◆ A passport

23.2 Confirmation of the status of an individual with any agency (law firm, government office, etc.) will be made by telephone and released to the agency.

Reference: Section 75, School Act
Freedom of Information and Protection of Privacy Act
FOIPP Regulation 200/95

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