
BUSINESS AND BOARD ADMINISTRATION**3000**

ONTARIO STUDENT RECORD PROCEDURES**3005**

1. The Policy

It is the policy of Lakehead District School Board to follow The Ontario Student Record (OSR) Guideline 2000 as amended. The guideline sets out the requirements of the Ministry of Education in regard to the establishment, maintenance, access, retention, transfer, and disposal of the OSR. School administrators must be conversant with the OSR Guideline.

2. Definitions

2.1 OSR - The Ontario Student Record as defined in the Ontario Student Record (OSR) Guideline issued by the Ontario Minister of Education.

2.2 OST - The Ontario Student Transcript is a continuous record of credits earned by the student in Grades 9 through 12.

2.3 IPRC - Identification, Placement, and Review Committee.

2.4 IEP - An Individual Education Plan for a student receiving special education programs and/or services.

3. Guidelines

The OSR will consist of the following, and maintenance of the OSR will be in compliance with, the Ontario Student Record Procedures, section 4, below:

3.1 The OSR folder, containing biographical and health information, schools attended, and parent/guardian information as set out in section 3 of the guideline.

3.2 Provincial report cards.

3.3 Ontario Student Transcript (OST) for secondary students.

3.4 Documentation File(s), if required.

3.5 The Office Index Card.

3.6 Accumulated Instruction in French.

3.7 Additional information identified as being conducive to the improvement of the instruction of the student.

4. Procedures**4.1 Maintenance**

- 4.1.1 The principal shall ensure that an OSR is prepared for all students and that they are stored in a secure area.
- 4.1.2 The principal shall ensure that access is provided in accordance with the Municipal Freedom of Information and Protection of Privacy Act (R.R.O. 1990, Regulation 823), see sections 4 and 5 of the OSR Guideline, and to any Ministry or Board employee who requires access in order to fulfill their employment mandate.
- 4.1.3 Every student has a right to access his or her OSR, and the parent or guardian of students who are not adults also have the right to access the student's OSR.
- 4.1.4 Every person shall preserve secrecy in respect of the contents of any record that comes to the person's knowledge in the course of his or her duties of employment, and no such person shall communicate any such knowledge to any other person except:
- (a) as may be required in the performance of his or her duties; or
 - (b) with the written consent of the parent or guardian of the pupil where the pupil is a minor; or
 - (c) with the written consent of the pupil where the pupil is an adult.
- 4.1.5 The Office Index Card must be completed in accordance with the OSR Guideline 3.5. This is available electronically from the Trillium System and need only be printed, if required, or when the student retires.
- 4.1.6 The contents of the OSR folder and Documentation File shall be in chronological sequence with the most current data in the front.

4.2 Transfer

- 4.2.1 The principal shall ensure that transfers of OSRs to other schools only occur when written notice of the student transfer has been received. Transfers to and from other schools will be recorded and comply with OSR Guideline 6. OSRs may only be transferred to private schools, or federal or First Nation Schools, if the principal has received:
- (a) a written request from the principal of the receiving school which agrees to comply with the OSR Guideline – see OSR Guideline, section 6.2; and

- (b) a written consent has been provided by the parent or guardian of the student, if he or she is not an adult, or by the student if he or she is an adult.
- 4.2.2 An original OSR may not be transferred to a school outside of Ontario. However, an exact copy of the OSR may be provided to the receiving school, provided that the principal has received;
- (a) a written request from the principal of the educational institution outside of Ontario; and
 - (b) a written consent has been provided by the parent or guardian of the student, if he or she is not an adult, or by the student if he or she is an adult.
- 4.2.3 A principal may be served with a subpoena requiring that he or she appear in court on a particular date and bring part or all of an OSR. If a principal receives a subpoena, he or she must comply with it but should report the matter to the superintendent, who may contact the Board's legal counsel for advice.

As a general rule, the principal should go to court with both the original OSR and a complete and exact photocopy of it, and should propose to the judge that the photocopy be submitted instead of the original. The principal should also inform the judge that the subpoena is inconsistent with subsection 266(2) of the Education Act. The principal must, however, relinquish the documents if ordered to do so by the judge.

If a principal is served with a search warrant under the Criminal Code requiring the surrender of an OSR to the police, or is served with a subpoena requiring his or her appearance at court with the OSR, he or she is obliged to comply with the search warrant or the subpoena. In both cases, the principal should contact his/her superintendent who may contact the Board's legal counsel for advice.

Under the Child and Family Services Act, it is possible for a court to order a principal of a school to produce a student's OSR for inspection and copying. A court may make such an order if it is satisfied that: (a) a record contains information that may be relevant to consideration of whether a child is suffering abuse or likely to suffer abuse; and (b) the person in control of the record has refused to permit a Children's Aid Society director to inspect it. If a principal receives a court order under the Child and Family Services Act, he or she should seek legal advice about how to comply with it by contacting their superintendent.

If a grievance arbitration board orders the production of a student's OSR despite the provisions of 266 of The Education Act, the principal, through the superintendent, should contact the Board's legal counsel for advice. Reference OSR Guideline, section 4 – Access to the OSR.

5. Documentation File

If required, the documentation file will contain the following information:

- 5.1 Verification of custody orders and name changes.
- 5.2 Violent incident reports.
- 5.3 Suspension and expulsion reports.
- 5.4 SALEP reports.
- 5.5 Written request for name change by repute or marriage – see OSR Guidelines 10.1 and 10.2.
- 5.6 Proof of date of entry into Canada for ESL students.
- 5.7 Any other information required by the OSR Guideline identified as being conducive to the improvement of the instruction of the student, or directed by administration.
- 5.8 Referrals to the attendance counsellors.
- 5.9 15-day letters from attendance counsellors.
- 5.10 The statements of decision of the IPRC committee and the review minutes.
- 5.11 Educational, psychological, and health assessment reports.
- 5.12 Individual education plans for the current and previous five years.
- 5.13 Other notes or information conducive to the improvement of the instruction or well being of the student, including the student's individual learning profile.

6. Correction or Removal of Information in the OSR

- 6.1 Subject to the retention requirements in subsection 7, the principal may have information or material removed from the OSR folder if it is no longer conducive to the improvement of the instruction of the student. Such information will be given to the parent or guardian or to the student if he or she is an adult.

ONTARIO STUDENT RECORD PROCEDURES

6.2 The principal will ensure that the OSR is reviewed at the end of Grade 8. The following information may not be removed from the OSR or Documentation File, even when the OSR is transferred to another Board:

6.2.1 Expulsion and violent incident reports, except in accordance with the Ministry's Violence-Free Schools Policy as follows:

6.2.1.1 The information relating to suspension for violent behaviour shall not be removed from the OSR unless three consecutive years have passed during which no further suspensions for serious violent incidents have taken place.

6.2.1.2 The information relating to expulsion shall be removed five years after the date on which the school board expelled the student.

6.2.1.3 Where an expelled student has been readmitted to school by a school board, and is expelled again, the information relating to the expulsions shall not be removed from the OSR until five consecutive years have passed without any further expulsion.

6.2.1.4 Where the student has not been suspended or expelled, the Violent Incident Form shall be removed after three years if no further serious violent incident is reported to the police during that time.

6.2.2 The Special Education documentation, except when it is no longer conducive to the improvement of the pupil's education. However, professional assessments that provide recommendations for the specific instruction of the student must be retained.

7. Retention

7.1 Documentation must be retained in the Documentation Folder for a period of one year after its last use.

7.2 Report cards and the Documentation Folder must be retained for five years following the retirement of the student.

7.3 The OSR folder, OST, and Office Index Card must be retained for 55 years following the retirement of the student.

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8. Destruction of Records

The destruction of anything removed from the OSR folder, and the ultimate destruction of the OSR and its remaining contents, must be carried out in a secure manner by shredding or incineration - reference OSR Guideline 8.

<u>Cross Reference</u>	<u>Date Received</u>	<u>Legal Reference</u>
_____	June 23, 2009	_____
_____	<u>Date Revised</u>	_____
	June 27, 2017	
