

SUBJECT: CONFIDENTIALITY OF STUDENT RECORDS

Full Title:

The correct and full title of this policy shall be: THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA POLICY REGARDING THE COLLECTION, DISSEMINATION AND CONFIDENTIALITY OF INFORMATION REGARDING UNIVERSITY OF NORTHERN BRITISH COLUMBIA STUDENTS; however, for convenience purposes it shall be known as THE POLICY ON THE CONFIDENTIALITY OF STUDENT RECORDS.

1. Purpose

In recognition that our students are adults and to respect a student's right to privacy, all information obtained about students is to be kept confidential and only used for the purpose it was intended.

2. Scope

In choosing to pursue a post-secondary education, students must be aware the record of their academic performance will be viewed and evaluated by others on a need to know basis. At the same time, the right to privacy asserts that individuals have a valid interest in controlling what information about themselves they will reveal to others and what uses may be made of this information. For its part, the University of Northern British Columbia (the University) has a need to obtain and an interest in obtaining information to carry out its functions and to fulfill its obligations to its students and to the agencies which have direct authority over it. University policies, therefore, are intended to reflect a reasonable balance between the obligations to its students and to the agencies which have direct authority over it. University policies, therefore, are intended to reflect a reasonable balance between the obligations for the welfare of the students and its responsibilities to society, within the legislation of the Freedom of Information and Protection of Privacy Act.

3. Authority

The Associate Vice-President (Student Services/University Registrar) is responsible to the President for the administration of these policies and procedures.

4. Confidentiality and Responsibility

4.1 In recognition that our students are adults and in order to respect a student's right to privacy, all information obtained about students is to be kept confidential and only used for the purpose it was intended. Some examples of this information include:

- a. the surname, first name and initials of any student;
- b. the program and registration status of any student;
- c. the student's address and/or telephone number;
- d. the names, town and province of residence of recipients of awards and scholarships.

4.2 The University shall endeavour to use all reasonable means at its disposal to keep all records pertaining to students confidential and out of the hands of those who would use these records for purposes that are not consistent with the goals and mandate of the institution and/or the student. All employees and officers of the University must respect the confidentiality of information regarding students which they acquire in the

course of their work. At the same time, policies will be flexible enough not to hinder the students, the University or the community in their proper pursuits.

- 4.3 An official academic record and file will be maintained in the Office of the Registrar and shall not be released outside this office except with written authorization of the Associate Vice-President (Student Services/University Registrar) or designate. Any release of information from this record or file shall be governed by this policy.

Officers and employees responsible for compilation of other records pertaining to students (Financial Assistance and Awards, Colleges, etc.) are responsible for ensuring the total confidentiality of these records, and will release no information from these files except as specifically authorized by this policy. All copies of original documents that pertain to a student must be retained in the official record, which is retained and maintained by the Office of the Registrar.

5. Collection of Information

- 5.1 Under the authority of the University Act, the University is allowed to collect information necessary to carry out its programs. Information which the University may wish to collect from a student, is classified in one of two categories: either mandatory information or voluntary information. Mandatory information is that information which the University believes to be essential to its proper function or which is required by law or regulation to be collected; voluntary information is that information considered desirable but not essential to the functioning of the University.

When voluntary information of a personal nature is collected for special studies, classroom work, etc., students involved in the study shall be advised of the intended use of the information and its distribution. In all cases, information collected for statistical studies shall ensure student anonymity and shall conform to standards and requirements as established from time to time by the University's Ethics Committee.

6. The Official Student Academic Record

- 6.1 The following information is determined to be mandatory information and must be recorded by the University: name, and corresponding University ID number; social insurance number (for identification, and taxation purposes); academic program; level of study; date of birth (for identification purposes as well as admission purposes and to determine the appropriate course fees); country of citizenship; gender; immigration status; educational background at the time of admission; address(es); record of courses registered for and the resultant academic status; admission decisions and all other decisions affecting a student's ability to undertake or continue studies.
- 6.2 "Special Needs" information relating to a student's physical, medical or mental limitations is voluntarily provided by the student in support of his/her application for exemption services. "First Nations" designation is also voluntary information. This information is considered to be extremely confidential and may be released only to staff, faculty or tutors who have a need to know basis.

7. Other University Records

- 7.1 It is recognized that a need usually exists for the maintenance of other individual records to allow for the proper functioning of certain departments. These records are not included in the Official Record:
- a. Financial Assistance Record;
 - b. Counselling Records;
 - c. Academic Departmental or Faculty Records.
 - d. Financial Records pertaining to the payment of the various fees and/or fines assigned by the University;
 - e. Residence Information.

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- 7.2 Interim grades, comments, assignments, tests, essays, or other academic submissions are considered to be private, privileged communications between the student and his or her instructor. As such they are not considered to be part of the official record but may be subject to access under the Freedom of Information and Protection of Privacy Act.
- 7.3 The Database Administrator and the Associate Vice-President, or designates, are responsible for establishing effective electronic/mechanical control systems to ensure that the policies pertaining to the confidentiality of records are maintained.
- 7.4 It is stressed that the University policies regarding the Official Student Record maintained by the Associate Vice-President include all mediums including electronic data banks.

8. Maintenance and Retention of Student Records

- 8.1 The retention of student records is valid for administrative and historical purposes. The retention of official academic records, financial and awards records, are subject to the limitations imposed by the policies, retention of information under the Freedom of Information and Protection of Privacy Act and the Directory of Retention.
- 8.2 Any files being considered for automation shall be examined and approved by the Associate Vice-President, or designate, only when:
- a. each item to be included in the electronic data bank is determined to be necessary for the proper functioning of the automated system and is not available elsewhere;
 - b. the access to such information has been specified so as to provide proper protection and maintain confidentiality;
 - c. information of a particularly sensitive nature is noted and adequately secured;
 - d. the policies contained herein have been adhered to.

9. Disclosure of Information from the Official University Record

- 9.1 Disclosure of the Student
- 9.2 Students are entitled to an official transcript of their academic record, unless there are sanctions in the form of delinquent accounts or disciplinary action.
- 9.3 Official transcripts are issued only upon a written request of the student, are printed on special transcript paper, bear the Associate Vice-President's signature (or stamp reproduction thereof), and have the official seal of the Office of the Registrar imprinted over his/her signature.
- 9.4 Letters of Certification are used to confirm information that is extracted from the student's academic record but which is not available on a transcript. All Letters of Certification are printed on letterhead paper, bear the Associate Vice-President's signature (or stamp reproduction thereof), and have the official seal of the Office of the Registrar imprinted over his/her signature.
- 9.5 Students have the right to inspect their Official University record, including the student file, as maintained by the Associate Vice-President, during the normal office hours, and upon advance request in writing. When students inspect their original records, examination will be permitted only under conditions that will prevent alteration or mutilation.
- 9.6 The Registrar's Office staff shall make routine changes in statistical information. In the event of a dispute as to the accuracy of the information maintained, a student may appeal to the Associate Vice-President.

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- 9.7 In accordance with the University's policy on the Release of Documents submitted by or for the student in support of an application for admission or transfer credit become the property of the University of Northern British Columbia and are not normally returned to the student or forwarded to third parties.
- 9.8 Documentation submitted by or for the student for academic appeals becomes the property of the University and normally will not be returned to the student or forwarded as directed by the student.
- 9.9 When a letter of reference is received in support of a student's application or appeal the contents of such letters shall not be revealed to the student without the permission of the referee if the information has been provided in confidence. Letters of reference will be used only for the express purpose for which they have been supplied unless the permission of the referees and the student concerned have been given for other specified purposes.

10. Disclosure to Employees and Officers of the University

- 10.1 All or part of the student's academic record and file are accessible to the following:

Members of staff and faculty who have legitimate interest in a student's academic record and a demonstrated need to know. Appropriate access will be provided.

Access to a student's record will be made available only on a need to know basis.

The Associate Vice-President, or designate, has the legal responsibility for determining whether the need to have access to the student's record has been demonstrated.

11. Disclosure to Relatives, Educational Institutions, Government Agencies and other Agencies

- 11.1 Disclosure of any information is prohibited, except as authorized elsewhere within this policy, or except with the written consent of the student concerned. In particular, disclosure without consent is not permitted to:

- a. students other than the student whose academic record it is,
- b. parents, relatives or guardians,
- c. legal agents, (except by a Court Order),
- d. school boards, high schools and other academic institutions,
- e. representatives of foreign states,
- f. commercial or credit agencies of any kind,
- g. debt collectors,
- h. employers,
- i. or other agencies.

- 11.2 The Associate Vice-President or designate will determine the legitimacy of all such requests.

- 11.3 Because of the relationship of those responsible for students who receive funding under the authority of the Financial Aid Office, from the federal and provincial governments and banks, the University, in specific identifiable situations, e.g. default of repayment, has responsibility to release information that would have been submitted by the student in support of an application for financial assistance to:

- a. The Ministry of Education
- b. The Financial Aid Office
- c. Chartered Banks with whom registered students negotiated government student loans (if specific authorization is part of the loan application documentation).

A waiver for release of information is usually incorporated in all government student loan documents, copies of which are maintained by the Canada Student Loans Administration and bank negotiating the loan. However, the waiver varies from form to form and may or may not include non-government agencies. Information shall only be released to those agencies specifically authorized in the student's waiver. When in doubt, it shall be the responsibility of the agencies requesting the information to provide a copy of the student's waiver and satisfactory proof that the waiver covers them.

Government agencies have no legal right to further information or access to student files and records without the written authorization of the student. Further information will be released only on court order or subpoena.

- 11.4 Students shall have access to their financial assistance file, under the supervision of a staff member, during normal office hours, and upon advance request in writing. Such access shall be permitted only under conditions that will prevent its alteration or mutilation.
- 11.5 A student may not authorize anyone else to view his/her financial assistance file if it contains financial information about any other person(s), unless they too have given written permission.
- 11.6 A student, who is deemed to be a dependent by the Financial Aid Officer, for the purposes of financial assistance, shall not have access to information relating to any other person who co-signs the application forms without the other person's consent.
- 11.7 External agencies providing scholarships or other direct assistance to individual students may require periodic reports of progress as a condition of their grants. Students, however, shall be fully informed, preferably by the external agency itself, of all such requirements, the kind of information required, and the manner in which it is to be reported. It is the student's responsibility to make the appropriate arrangements to have this information forwarded as required.
- 11.8 Researchers within the University shall be permitted access to identifiable student information only with the consent of the individual student(s) involved and only with the Associate Vice-President's approval.
- 11.9 The Associate Vice-President's approval, researchers within the University and outside research organizations may be provided information from the official record without the student's prior approval provided the student's identity is not revealed.

The release from the student's official record of identifiable information, which is required for research, must be approved by the Associate Vice-President or designate. Such research must comply with the standards and requirements as established from time to time by University's Ethics Committee.

Disclosure of information for research purposes must meet the requirements of section 33(r) and 35 of the Freedom of Information and Privacy and Protection Act.

12. Disclosure in Response to Telephone Enquiries

- 12.1 Requests for student information, e.g. addresses, telephone numbers, will be handled by the Office of the Registrar, unless the student has expressly authorized the release of this information or as authorized elsewhere in this policy.
- 12.2 no private information will be given by telephone except to authorized personnel concerned with purposes for which the information was collected or as otherwise specified in these policies. When the caller is not personally known the name of caller and the telephone number shall be taken and the call returned. If there are any doubts as to the authenticity of the caller or the request, information shall not be released.

12.3 A student's grade for an examination or course may be unofficially conveyed orally by a designated Faculty member to the student. Such information may not be given either officially or unofficially to any third party (including employers and relatives) except in accordance with this policy, e.g. where a waiver has been provided by the student.

13. Disclosure by Employees, Staff or Officers of the University

13.1 The Office of the Registrar is the only agency of the University authorized to release a student's academic record or other information on a student's official record or file, unless otherwise specifically covered by policies contained herein.

13.2 When responding to inquiries, all University employees shall limit their responses to information directly related to their sphere of responsibility.

13.3 Whenever there is a need for the University to issue a transcript in connection with employment, educational or other purposes, the transcript must be requested in writing from the Office of the Registrar by the student in question.

14. Disclosure of Information from Other Official Records

14.1 Access to financial assistance, academic advising, counselling, student services, and disciplinary files is limited to those officials responsible for those matters and may not be released to anyone except as otherwise stated in this policy.