



## STUDENTS AND PRIVACY

The following guidelines and principles are meant to assist employees in complying with the **BC's Freedom of Information and Protection of Privacy Act ("FOIPPA")**. As a public body Kwantlen has a responsibility to comply with FOIPPA when collecting, using, disclosing and disposing of student information.

Please feel free to call or write with your questions - 604-599-3290 , [fatima.sakarya@kpu.ca](mailto:fatima.sakarya@kpu.ca)

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Freedom of Information Coordinator

### Guidelines

#### 1. Collecting Student Information

- (a) Collect only the information you require. Very seldom will this include age, marital status, SIN, etc. Informed consent is preferable even in relation to information that can be disclosed without consent.
- (b) Be sure your form clearly informs students of your legal authority to collect personal information<sup>1</sup>. Identify an officer or employee in the department or faculty who can answer questions about the collection of the information.
- (c) Students have a right to review their information for accuracy and to request a correction of factual information.
- (d) Student information must be retained for a minimum of one year when that information has been used to make a decision about the student.
- (e) You must ensure that the information is kept in a secure location which is either the KPU network or in a locked cabinet and locked room. **Sensitive personal information should *NOT* be transported via mobile device unless the information has been encrypted first.**

#### 2. Using Student Information

- (a) Use the information only for the purpose for which it was collected. Instructors and program assistants may collect home phone numbers in order to carry out their duties, such as contacting absent students or communicating information to students about their performance or assignments. The use of a student's Kwantlen email or Moodle is encouraged as a first choice. If it is necessary to collect a SIN number for employment purposes, shred it when no longer needed.

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<sup>1</sup> KPU has legal authority through the University Act, Sec. 27(4) and FOIPPA, Sections 26 and 27.

(b) Other than disclosing to other employees at KPU who have a need to know, do not share the information with anyone else unless the student has signed a release form.

**(c) Using personal information for a purpose other than that for which it was collected:**

- Ensure you have a student's written permission to share any personal information with your class, but refrain from asking to share phone numbers or addresses as this can put them at risk. They must be made aware of their right to refuse permission.
- Ensure you have a student's permission if you intend to give their contact information to potential employers or volunteer organizations.
- Businesses should not be given student or graduate mailing lists without prior, individual consent from each student.

(d) Respect student privacy in class.

(e) Personal information such as marital status should not be shared unless relevant, and then only on a need-to-know basis.

(f) Do not identify students by name in departmental documents such as meeting minutes.

### **3. Class Lists**

Currently the class lists contain the student phone number. Please ensure that if you decide to contact students at home, it is for appropriate reasons - i.e. class attendance, etc. Inappropriate use includes business mail outs, requesting personal information, and social purposes.

### **4. Students' Work**

(a) If you need to review a student's work with a colleague (for a second opinion perhaps), remove the name and any personal identifiers from the work. Be especially careful with highly personal information and opinions contained in assignments such as diaries, journals and portfolios.

(b) A student's work should be returned only to the student. Do not leave assignments, etc. to be picked up in a public place.

### **5. Student Grades**

There are two options:

(a) Give out grades individually to students in class.

(b) Post a list in random student number order with assigned grade. Allow the students to advise you if they do not wish their number and their grade posted. It is suggested that you append a notice to your course syllabus.

Example:

"Grades: for your convenience, student grades by random student number will be posted in the department. If you do not wish to be included, please advise me in writing before the end of this month."

## 6. Access to Student Databases

Employees are permitted access to Banner if they require the data in the course of their normal job responsibilities. Information contained in Banner is to be shared only with similarly authorized employees and only in connection with authorized job responsibilities. All data and reports must be maintained in a secure and confidential manner.

## 7. Research and Statistical Analysis

There are limited provisions in the Act for disclosing personal information for research or statistical purposes. Please contact the Registrar (604-599-2018).

## 8. General Inquiries

A student's educational information, including whether he/she is currently enrolled, cannot be released to a third party without the student's consent or some legal authority. If in doubt call the Registrar (604-599-2018).

### **Principles to keep in mind...**

1. Students have a right to privacy protection under the Freedom of Information & Protection of Privacy Act. They "loan" their personal information to Kwantlen Polytechnic University but they still own their own information and may request and receive copies of any personal information possessed by the university.
2. Public bodies such as Kwantlen Polytechnic University may collect personal information, but only that which "relates directly to and is necessary for an operating program or activity of the public body". Sharing of this information should only be with those who specifically need to know.
3. Information may only be used for the purpose for which it is collected. Consent must be obtained for any other use. There are limited exceptions. If the police wish to obtain information about a student, they should be directed to contact the Registrar. If an emergency situation arises in which there is a health or safety risk to the student/s or instructor, 911 should be called for immediate threats and/or campus security.

### **Remember:**

- Store confidential information in a secure manner. Mobile storage devices should rarely be used, and only if the information is encrypted first.
- Faxing of personal information should be avoided. If this is necessary, ensure only the authorized recipient will handle it.
- Public documents should not include students' personal information.
- A student's educational information cannot be released, including whether the student is currently enrolled.
- Practice good records management, storing documents according to the guidelines in Kwantlen Polytechnic University's [Directory of Records](#) and disposing of them in a secure manner.