



STUDENTS AND PRIVACY

The following guidelines and principles are meant to assist employees in complying with the BC Freedom of Information and Protection of Privacy Act.

Please call me at **604-599-3290** if you have any questions.

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GUIDELINES

1. Collecting Student Information

- (a) Collect only the information you require and have legal authority to acquire. 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. It could be required by a specific act (e.g. Immigration Act) or fall under s.26 (c) of the Freedom of Information & Protection of Privacy Act "...information relates directly to and is necessary for an operating program or activity of the public body" (i.e. Kwantlen Polytechnic University). Identify an officer or employee 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 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 includes the transfer of information in digital format (flashdrives, laptops, CDs etc.).

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, destroy it, whether in physical or digital format, as soon as it is no longer needed.

- (b) 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 originally collected:
 - If students decline to use their Kwantlen email address they should give written permission for use of their personal email addresses.
 - 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: do not reveal a student's grade.
- (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 the grades in Moodle.

Please do not post class lists with grades in any format.

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 that student's express consent. The only exception are governmental entities with authority to request information under a specific act (law enforcement investigations, for ex.) in which case the person requesting should identify themselves and provide the legal authority under which they're requesting the information. If in doubt, ask a supervisor or the FOIPOP coordinator.

Principles

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. An exception occurs if it is necessary and in the interest of the student, as may occur with medical or mental conditions that impact student performance or pose a health or safety risk to the student/s or instructor. Please contact Catherine Dube, Manager, Organizational Risk Assessment at 604-599-2054.
4. Protection of public health and safety overrides protection of privacy. Section 25 of the Freedom of Information & Protection of Privacy Act states: "The head of a public body must, without delay, disclose to the public, to an affected group of people or to an applicant, information (a) about a risk of significant harm to the environment or to the health or safety of the public or a group of people..."

THINGS TO REMEMBER:

- Store confidential information in secure files.
- 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.