



Niagara Catholic District School Board
ONTARIO STUDENT RECORD (OSR)
ADMINISTRATIVE OPERATIONAL PROCEDURES

300 – Schools/Students

No 301.7

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In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the following are Administrative Operational Procedures for the Ontario Student Record (OSR).

PREAMBLE

The Board promotes a standard of privacy protection and maintains a comprehensive records management system, where personal student information is collected and used in compliance with all applicable provisions in the *Education Act*, the *Freedom of Information and Protection of Privacy Act* and *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

The *Education Act* sets out duties and powers of the Board and authorizes school boards to collect personal information for the purpose of planning and delivering Catholic educational programs and services, which best meet students' needs, and for reporting to the Ministry of Education as required.

An Ontario Student Record (OSR) will be established and maintained for each student enrolled in a Niagara Catholic school.

ONTARIO STUDENT RECORD (OSR)

The *Ontario Student Record (OSR)* is the record of a student's educational progress through schools in Ontario and will be used by school and Board staff to support the classroom teacher in developing an educational program that best meets the needs of the student.

Staff working with the classroom teacher or directly with the student may include individuals working in areas such as, but not limited to, Special Education.

The OSR is an ongoing record and will be transferred, under the conditions outlined in the *Ontario Student Records Guideline 2000*, if the student transfers to another school in Ontario. Any part of the OSR may be micro-recorded or recorded and stored electronically in a manner that permits the printing of a clear and legible reproduction. Any micro-recording, electronic file, reproduction, or facsimile of an OSR is subject to the security and access requirements applicable to the original OSR.

RESPONSIBILITY OF THE ONTARIO STUDENT RECORD (OSR)

The following school staff are responsible for performing clerical functions regarding the establishment and maintenance of the OSR:

- School Principal
- Secretaries designated by the Principal and/or Senior Staff
- Teachers of the school where the student receives an education

It is the duty of the Principal of the school to:

- establish, maintain, retain, transfer, and confidentially dispose of a record for each student enrolled in the school;

- ensure that the materials in the OSR are collected and stored in accordance with policies and administrative operational procedures;
- ensure the security of the OSR;
- ensure that all persons specified by the Board to perform clerical functions with respect to the establishment and maintenance of the OSR are aware of the confidentiality provisions of the *Education Act* and the relevant freedom of information and protection of privacy legislation.

COMPONENTS OF THE ONTARIO STUDENT RECORD (OSR)

An OSR folder will consist of the following components:

- An OSR Folder in Form 1A or Form 1
- Student Report Cards
- an Ontario Student Transcript (OST), where applicable
- a documentation file, where applicable
- an office index card (not filed in the OSR folder and is not transferred with the OSR)
- student record of accumulated instruction in French as a Second Language in elementary school
- Prior Learning Assessment and Recognition (PLAR) Challenge for Credit: Cumulative Tracking Record, where applicable
- Additional information identified by the Principal as being conducive to the improvement of the instruction of the student
- Elementary or Secondary Registration Forms
- Consent Forms

ACCESS TO THE ONTARIO STUDENT RECORD (OSR)

Access to the OSR means the right of those persons identified by the *Education Act* or other legislation to examine the contents of the OSR. In addition, municipal and provincial freedom of information legislation permits persons who have the right to have access to personal information to receive copies of the information. This provision applies during both period of use of the OSR and the period of retention and storage. The Principal or designate must be present while the contents of the OSR are being examined.

1. **Students:** Every student has the right to have access to their individual OSR.
2. **Parent(s)/Guardian(s):** The parent(s)/guardian(s) of a student have a right to have access to the student's OSR, until the student becomes an adult (age eighteen). Under both the *Children's Law Reform Act* and the *Divorce Act, 1985*, the legal right of a non-custodial parent to have access to a child includes the right to make inquiries and to be given information concerning the child's health, education and welfare. The parent(s)/guardian(s) or adult student, who requires access to the OSR, must submit a request in writing to the Principal of the school at least one week prior to accessing the OSR.
3. **Educational Personnel:** Only Supervisory Officers, the Principal and teachers of the school have access to the OSR for the purpose of improving instruction of the student. Additional access may be permitted under municipal and provincial freedom of information legislation, under specified and limited circumstances.
4. **Ministry and School Board:** *The Education Act* permits the compiling and delivery of information contained in an OSR, if it is required by the Minister of Education, or the school board. In instances where Ministry staff members are seeking to collect information from OSRs students who are adults and the parent(s)/guardian(s) of students who are not adults will be notified.
5. **Court and Law Enforcement Agencies:** The OSR will not be produced in the course of any legal proceedings. If a Principal receives a court order requiring the release of an OSR, legal advice should be obtained. The Principal will contact the Family of Schools' Superintendent.

6. **Civil suits:** A Principal is obligated to comply when served with a subpoena. As a general rule the Principal should attend court with both the original OSR and a complete exact photocopy 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 relinquish the documents if ordered to do so by the judge.
7. **Cases involving the *Criminal Code*:** 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, the Principal is obliged to comply with the search warrant or the subpoena however, legal advice should be obtained. The Principal will contact the Family of Schools' Superintendent.
8. **Provisions under the *Child and Family Services Act*:** If a Principal receives a court order under the *Child and Family Services Act*, legal advice should be obtained about how to comply with the order.

USE AND MAINTENANCE OF THE ONTARIO STUDENT RECORD (OSR)

Information from an OSR may be used to assist in the preparation of a report required under the *Education Act* or the regulations made under it. The freedom of information legislation sets out criteria for the use of personal information. The contents of the OSR should be reviewed on a regular basis to ensure that they remain conducive to the improvement of the instruction of the student. Any such review must comply with the provisions of section 9 of the OSR Guideline, 2000.

TRANSFER OF THE ONTARIO STUDENT RECORD (OSR)

1. When a student transfers to another school in Ontario, the Principal must receive a written official request for the information from the Principal from the receiving school.
 - if the original OSR is being transferred between schools operated by the same school board, it may be transferred by a delivery service provided by the board.
 - if the original OSR is being transferred to a school in another board, it must be transferred by Priority Post or an equivalent delivery method that is approved by the board and that maintains confidentiality and guarantees prompt delivery.
2. When a student transfers to an inspected private school, a non-inspected private school or a federal or First Nation school in Ontario, the Principal must have received:
 - a written request for the information from the receiving school, in which the school agrees to accept responsibility for the OSR and to maintain, retain, transfer and confidentially dispose of the OSR in accordance with the guideline; and
 - a written statement indicating consent to the transfer, which is signed by the parent(s)/guardian(s) of the student who is not an adult, or by the student who is an adult.
3. When a student transfers to another school outside of Ontario, only a copy of the student's OSR may be sent. The original OSR must remain at the school according to the retention schedule.

The Principal must receive:

- a written request for the information from the Principal from the receiving school; and
- a written statement indicating consent to the transfer, which is signed by the parent(s)/guardian(s) of the student who is not an adult, or by the student who is an adult.

RETENTION AND DESTRUCTION OF INFORMATION

RETENTION OF INFORMATION

The following components of the OSR will be retained for five years after a student retires from the school:

1. report cards
2. the documentation file, where applicable
3. additional information that is identified by the Board as appropriate for retention

The following components of the OSR will be retained for fifty-five years after a student retires from the school:

1. the OSR folder
2. the Ontario Student Transcript (OST)
3. the Office Index Card

DESTRUCTION OF INFORMATION

The confidential disposal or destruction of all or any part of an OSR when retention is no longer required shall adhere to the conditions set out in section 8 of the OSR Guideline 2000.

CORRECTION OR REMOVAL OF INFORMATION

If certain information or material in an OSR folder is determined to be no longer conducive to the improvement of the instruction of the student, the Principal will have the information or material removed from the OSR folder. Such information will be given to the parent(s)/guardian(s) of a student who is not an adult or the student if the student is an adult, or it will be confidentially destroyed.

If the parent(s)/guardian(s) or adult student is/are in the opinion that the information contained in the student's OSR is inaccurately recorded or that it is not conducive to the improvement of the instruction of the student, the parent(s)/guardian(s) or adult student may request in writing, that the Principal correct the alleged inaccuracy or remove the information from the record. If the Principal refuses to comply with the request, the parent(s)/guardian(s) or adult student may appeal in writing to the Family of Schools' Superintendent.

CHANGE OF SURNAME

When a Principal receives documentation requesting a change of surname, any such review must comply with the provisions of section 10 of the OSR Guideline 2000.

CONTINUING EDUCATION RECORDS

For each student enrolled in a school board continuing education course or program for the purpose of achieving an Ontario secondary school credit or credits, the Principal of the continuing education course or program will establish an office index card for each student according to the OSR Guideline 2000.

The Ontario Student Transcript (OST) will be maintained by the Principal of the continuing education course or program. If the student is also enrolled in a day school program, the Principal of the continuing education course or program will forward information on credits earned to the Principal of the day school program for inclusion on the Ontario Student Transcript of the student.

References

- [*Municipal Freedom of Information and Protection of Privacy Act*](#)
- [*Ontario Education Act, R.S.O. 1990*](#)
- [*Ontario Student Record \(OSR\) Guideline, 2000*](#)
- [*Ontario Student Transcript \(OST\) Manual, 2013*](#)
- *Niagara Catholic District School Board Policies/Procedures*
 - [*Accessibility Standards Policy \(800.8\)*](#)
 - [*Privacy Policy \(600.6\)*](#)
 - [*Prior Learning Assessment and Recognition \(400.4\) AOP*](#)
 - [*Records and Information Management Policy \(600.2\)*](#)

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