

Administrative Procedure 180

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Background

The Division supports the public's right to information regarding the education of students and the spending of educational dollars as part of our accountability to our ratepayers and parents. The Division also supports the public's right to information as detailed in the Freedom of Information and Protection of Privacy (FOIP) Act.

The FOIP Act will be carefully followed by the Division in order to provide the public with a general right of access to information in the possession and control of the Division, and to ensure the protection of privacy of individuals, including students, teachers, principals and staff with respect to personal information about themselves which has been collected by the Division or through administrators in fulfillment of their duties.

The Division recognizes that all procedures for the collection and storing of information by Division staff in the course of affairs must follow provisions of the Freedom of Information and Protection of Privacy Act (FOIP).

The purposes of FOIP and Division administrative procedures are to:

1. Allow any person a right of access to the records in the custody or under the control of the Division subject to limited and specific exceptions as set out in the Act;
2. Control the manner in which a public body may collect personal information from individuals, to control the use that the Division may make of that information and to control the disclosure by the Division of that information;
3. Allow individuals, subject to limited and specific exceptions as set out in the Act, a right of access to personal information about themselves that is held by the Division;
4. Allow individuals a right to request corrections to personal information about themselves that is held by the Division; and
5. Provide for independent reviews of decisions made by the Division under the Act and the resolution of complaints under the Act.

Procedures

1. The Superintendent has been named the Head of the Local Public Body for the purposes of this legislation.
2. The Executive Assistant shall act in the capacity of FOIP Coordinator for the Division.
3. The principal of each school shall be the site coordinator for the purposes of the Act. Site coordinators are responsible to ensure the protection of personal information at



their schools and to direct inquiries about disclosure of information to the FOIPP Coordinator.

4. When fees are to be levied under the Freedom of Information and Protection of Privacy Act, the rates adopted by the Government of Alberta, as specified in Freedom of Information and Protection of Privacy Act Regulation 200/95, shall be confirmed as the rates used by the Division.
5. All persons making requests for the release of information shall be notified as to appeal provisions under this Act.

Personal Information

6. No personal information may be collected unless collection is specifically authorized by the School Act or the information relates directly to and is necessary for an operating program or activity of the Division.
7. The Division may use or disclose personal information only for the purpose for which it was collected or compiled or for a use consistent with that purpose, or if the individual the information is about has identified the information and consented to the use, or for purposes referred to in sections 40 or 41 of the Freedom of Information and Protection of Privacy Act.
8. The Division has a duty to maintain accurate and complete personal information that is used to make decisions about the individual. Under the Act an individual has the right to request a correction when the applicant believes an error or omission has been made.

Publications and Databases

9. All publications, following release, will be available in the Division office, for review by members of the public.
10. Databases and data files are records.

Public Access

11. The Division provides access to Division publications.
12. Persons requesting information must first contact either the school or Division office, whichever is responsible for creating or maintaining the information in question.
13. Access to information through the Freedom of Information and Protection of Privacy Act is intended as a last resort-if other attempts to acquire information have failed.
14. If the requested information is not available from the school, then the person requesting the information may apply to the designated Coordinator with his/her request.

Reference: Section 75, School Act
Freedom of Information and Protection of Privacy Act
FOIPP Regulation 200/95

