

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Belief

The Division recognizes that all procedures for the collection, use, storage and disclosure of personal information in the course of Division operations must follow the Freedom of Information and Protection of Privacy Act (FOIP).

Definition

Under the *Freedom of Information and Protection of Privacy Act* personal information means recorded information about an identifiable individual, including:

- The individual's name, home or business address or home or business telephone number,
- The individual's race, national or ethnic origin, colour or religious or political beliefs or associations,
- The individual's age, sex, marital status or family status,
- An identifying number, symbol or other particular assigned to the individual,
- The individual's fingerprints, other biometric information, blood type, genetic information or inheritable characteristics,
- Information about the individual's health and health care history, including information about a physical or mental disability,
- Information about the individual's educational, financial, employment or criminal history, including criminal records where a pardon has been given, anyone else's opinion about the individual, and
- The individual's personal views or opinions, except if they are about someone else.

Guidelines

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, to control the use 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

6. Under section 89(a) of the Act, the Superintendent shall be the Head of the Local Public Body for the purposes of this legislation.
7. The Associate Superintendent: Business or designate shall act in the capacity of FOIPP Coordinator under section 89(b) of the Act.
8. The Principal or director of each site shall be the site coordinator for the purposes of the Act. Site coordinators are responsible to ensure the protection of personal information at their sites and to direct inquiries about disclosure of information to the FOIPP Coordinator.
9. 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.
10. All persons making requests for the release of information shall be notified as to appeal provisions under this Act.
11. No personal information shall be collected unless the School Act specifically authorizes collection or the information relates directly to and is necessary for an operating program or activity of the Division.
12. 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.
13. The Division has a duty to maintain accurate and complete personal information. Under the Act an individual has the right to request a correction when the applicant believes an error or omission to their personal information has been made.
14. Persons requesting information must first contact either the site or Division office, whichever is responsible for creating or maintaining the information.
15. 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.
16. If the requested information is not available from the site, then the person requesting the information may apply to the designated Coordinator with their request.

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