

**TITLE: Access and Release of Student Information Policy**

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**Effective Date: July 11, 2019**

**Mandatory Review**

**Date: July 11, 2022**

**Approved By:**

- Board of Governors
- President and Vice Presidents
- Senate

## 1. Purpose

This Policy governs the access to, and release of, Student Information (as defined below) that is in the custody or under control of The Sheridan College Institute of Technology and Advanced Learning (Sheridan). This Policy supports Sheridan's Privacy Policy in accordance with the Ontario *Freedom of Information and Protection of Privacy Act* ("FIPPA") and the *Personal Health Information Protection Act* ("PHIPA").

## 2. Scope

This Policy applies to Student Information (as defined below) that is in the custody or under the control of Sheridan.

## 3. Definitions

- a) **Application Service Provider:** The third-party entity that provides application support.
- b) **Credential:** Academic or educational qualifications, such as degrees, diplomas or certificates that have been completed or partially-completed.
- c) **Formal Access Request:** A request for access to information which cannot be answered through existing or established processes e.g. a Freedom of Information (Fol) request. A Formal Access Request is processed under terms and conditions set out in FIPPA.
- d) **Gender** Means an individual's self-identification of their internal and/or individual sense of being male, female, both, neither, or anywhere along the gender spectrum. An individual's self-identified and/or preferred Gender may be the same as or different from that which was assigned at birth.
- e) **Informal Access Request:** A request for information from Sheridan that can be satisfied without requiring a Formal Access Request. Informal Access Requests will often be appropriate when a page-by-page review of exemptions is not necessary and requests are received for the same information on a routine basis.

### 3. Definitions Cont'd

- f) **Informal Access Request** A request for information from Sheridan that can be satisfied without requiring a Formal Access Request. Informal Access Requests will often be appropriate when a page-by-page review of exemptions is not necessary and requests are received for the same information on a routine basis.
- g) **Personal Information:** is defined in FIPPA and means recorded information about an identifiable individual, including:
- information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
  - information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
  - any identifying number, symbol or other particular assigned to the individual,
  - the address, telephone number, fingerprints or blood type of the individual,
  - the personal opinions or views of the individual except where they relate to another individual,
  - correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
  - the views or opinions of another individual about the individual, and
  - the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

#### h) **Pre-Registration Student Record:**

Prior to registration, the following comprises a Sheridan applicant's Pre-Registration Student Record:

- a) Application form, supporting documentation and template admissions correspondence;
- b) Record of changes to program choice(s);
- c) Record of changes to Personal Information;
- d) Fee payment receipts;
- e) Assessment Centre and program admission assessments;
- f) Any written authorizations by Student for release of specific information to designated third parties;
- g) Letters from sponsors;
- h) Records of visa status.

Once the Student registers with Sheridan, the above becomes the current Record or Registered Student Record as defined below.

- I. **Record:** means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:
- Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a

### 3. Definitions Cont'd

- videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof;

Any record that is capable of being produced from a machine readable record under the control of Sheridan by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution, or to which the institution can reasonable gain access;

- Email records, including additional/forwarded copies; subject to the above.

#### **j. Recorded Name and Gender:**

Refers to the Recorded Name (First, Middle and Last) and Gender provided by the Student on their application for admission in their Pre-Registration Student Record or in response to a request by the student to change their Recorded First and Middle Name and/or Gender on the Registered Student record.

#### **k. Registered Name Types:**

Sheridan maintains two types of Registered Names, referred to as the Primary and Preferred name types. The Primary name type is the legal name of the Student and the Preferred name type is the name preference identified by the Student on their application to Sheridan. When a student requests a name and/or gender change on their Record, a new record will be created in our Student Information System (SIS) and both the Primary and Preferred first and middle names will be updated accordingly. An audit trail of these changes will be maintained in our SIS supported by the application requesting the change.

#### **l. Registered Student Record:**

While Students are registered at Sheridan, the following comprises their Registered Student Record in electronic and paper media, various portions of which are held by Sheridan's Office of the Registrar:

- a) Everything contained in the Student's Pre-Registration Record;
- b) Record of changes to Personal Information;
- c) Record of program and course registration and all changes associated with these records;
- d) Record of grades received and academic status assigned;
- e) Record of final grades;
- f) Record of academic appeals and decisions; and
- g) Record of official program withdrawal;
- h) Documentation maintained by the Office of the Registrar in the Student Information System concerning a student's enrolment status pertaining to transactions related to financial aid and awards
- i) Record of financial assessment and payment of fees and penalties;
- j) Record of sanctions and/or encumbrances;
- k) Record of graduation, credential awarded, date of completion and conferral date; and
- l) Written authorizations by student for release of specific information to specified third parties.

### 3. Definitions Cont'd

The Registered Student Record does not usually contain information which falls within the definition of "personal health information" as set out in section 4(1) of the Ontario Personal Health Information Protection Act, 2004 ("PHIPA"), as amended. If a student voluntarily submits such health information in support of a request for a back-dated withdrawal/reversal of charges appeal and or a deferral of admission, this information will be stored as part of the Registered Student Record.

Counseling records, disability-related documentation, record of health-related condition of a confidential nature, or information collected by Sheridan which otherwise comes within PHIPA's definition of "personal health information" will be maintained by the appropriate Student Services area, as applicable.

Records from other institutions may also be kept as part of a Sheridan Student Record if they form part of a student's admission application, credit transfer process or prior learning assessment. To comply with Government legislated reporting requirements, Sheridan must report on students' prior institutions attended and their use of credit transfer.

- m. **Responsible Office:** an area and/or office of Sheridan that is responsible for developing and administering a Policy and drafting and maintaining Procedures under the direction of the Responsible Executive. More than one Responsible Office may be designated for a particular Policy or Procedure
  
- n. **Student:** means any individual who is admitted, enrolled, or registered for study at Sheridan. Individuals who are active in a program, but not enrolled in classes for a particular term (e.g. on vacation or coop term) are considered to have a continuing student relationship and are included in the definition of Student.
  
- o. **Student Information:** includes any Record which is either contained in the definition of Registered Student Record held by the Office of the Registrar or which otherwise comes within the meaning of Personal Information, as defined in Sheridan's Privacy Policy.
  
- p. **Transcript:** an official Record of a Student's work, showing courses taken and grades achieved.

#### 4. Policy Statement

- 4.1 Sheridan regards Student Information as confidential. Student Information shall be maintained in a secure, controlled environment. Sheridan has a legal obligation to protect all Students' rights to privacy and to make judicious use of Students' Personal Information and academic information in its possession, as required by FIPPA and PHIPA.
- 4.2 Personal Information obtained or requested by Sheridan is collected under the legal authority of the *Ontario Colleges of Applied Arts and Technology Act, 2002*. The information is used by Sheridan for administrative and statistical purposes, including but not limited to, admission, registration and record maintenance, reporting requirements, as well as awards, scholarships and the administrative functions of the Alumni Office and various Administrative offices.
- 4.3 Access to Student Information held in any medium must be in accordance with the requirements of confidentiality set out in FIPPA and PHIPA, this policy and its appendices. All requests for Student Information, except for formal requests made under FIPPA and PHIPA, shall be handled using the *Informal Requests for Information Procedure* in accordance with the *Guidelines Governing the Release of Student Information*. Formal requests made under FIPPA and or PHIPA shall be directed to the Sheridan's Information and Privacy Officer.
- 4.4 All online or web accessible Student Information will reside on secure, Sheridan-owned and operated servers or on approved external third party operated servers, and will be readily accessible to Sheridan employees responsible for the administration of such information.
- 4.5 The use of an Application Service Provider to house Student Information is conditional upon an agreement which clearly provides for security, privacy, retention, deletion and backup procedures. Any such provider must comply with this policy, all other applicable Sheridan policies, FIPPA and PHIPA.
- 4.6 Upon presenting proper photo identification, students may access data on their Registered Student Record, under supervision of the office from which they seek the information.

Student Information will not be released to external third parties without written student authorization through an approved Sheridan Request Form which can be found here: Informal Access Request for Student Information for Individual and Third Party Form. This includes, but is not limited to, requests from parents, spouses or guardians, prospective employers, credit bureaus, finance and loan companies, private investigation agencies, media outlets, banks and similar organizations. The Registrar may exercise discretion in the release of information to external third parties without written authorization from the student as outlined in Section 6.

- 4.7 Student Records may be accessed by, or released to, Sheridan employees when requested in support of administrative or academic services, on the condition that such access/release is consistent with the purpose for which the information was initially collected.
- 4.8 Documents from other institutions such as high school or university transcripts which are submitted to support a student's application for admission and/or transfer of academic credits may not be certified by Sheridan and released to a third party. If failure to certify or release these documents, causes excessive hardship to the student, Sheridan may, at the discretion of the Information and Privacy Officer and with notification to the student, forward a copy of

such documents to the receiver, marked “for your exclusive use only”.

4.9 In all programs, Records of attendance do not form part of the official Student Record, and requests for attendance records will be denied.

4.10 The public posting of any student grade by student name or student number or any other identifying symbol is prohibited.

4.11 Students with debts outstanding to Sheridan are entitled to access their Student Record. However, Sheridan will not produce an official transcript, certificate or diploma or release the view of grades until the obligation to Sheridan is cleared. See the Outstanding Obligations Policy for more detail.

## **5. Access by Sheridan Personnel**

5.1 Employees responsible for the delivery or administration of courses and programs at Sheridan shall have access to relevant Student Information in the performance of their duties. Academic administrators responsible for, or associated with, program delivery, will be provided access to Student Information for programs within their area and scope of responsibility.

5.2 Professors, instructors, counsellors, campus health services staff, academic administrators and administrative employees of the College who request Student Information to provide educational counselling and/or administrative services to the student will be permitted access to the appropriate file(s) with the approval of the Registrar or designate. Such approval shall be granted only in accordance with sections 41 and 43 of FIPPA.

5.3 Personal Information shall be permitted to be released by a Responsible Office where required by law under circumstances where there is a reasonable suspicion of abuse of children; where there are reasonable grounds to believe that a student is at risk of physical harm to themselves (i.e. self-harm), the educational processes, and/or whose distressed or worrisome behavior causes concern for the Sheridan community; where a student or member of the Sheridan community is at risk if the confidential information is not disclosed, or otherwise in accordance with exceptions or exemptions set out in FIPPA.

## **6. Access by Third Parties**

6.1 Students may, upon written request, release part or all of their Registered Student Record or other Student Information to a third party, or request it be held with no release allowed.

Parents or guardians of Students of less than sixteen years of age will be provided access to the information from the Student Record, in accordance with FIPPA.

If parents or spouses, or other relatives contact Sheridan to pay fees for Students, Sheridan will accept and process the payments provided they are accompanied by a student invoice or an Informal Request for Student Information Form has been granted by the student. In the absence of such documentation, the fee payment will be accepted and the receipt of the payment transaction will be mailed to the student.

## 6.2 **Sponsoring Agencies**

A transcript will be released on request to those approved sponsoring agencies who provide financial support to the student registered at Sheridan and who supply written authorization from the student to do so.

## 6.3 **Law Enforcement**

Properly identified representatives of federal, provincial or local government agencies, including regional police, Ontario Provincial Police, and Royal Canadian Military Police (RCMP) will be treated as any third party; that is, written student authorization must accompany their request for information, unless such release is sanctioned by section 42 of FIPPA or under the auspices of another act and/or regulation or by Consent. Section 42(g) of FIPPA permits the disclosure of personal information to an institution or a law enforcement agency in Canada to help an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

Details may also be released, at the discretion of the Registrar, if denial of access to the Student Information could involve hardship to the Student or pose a risk to the safety of the Sheridan community.

## 6.4 **The Courts**

In the event that Student Information in the form of a student's academic record or is otherwise ordered to be produced by a court, such information will be produced

## 6.5 **Researchers**

Requests for Student Information that are received from external researchers conducting statistical studies must be reviewed by the Sheridan Research Ethics Board, any applicable Responsible Executive and/or assigned committee and/or the Information and Privacy Officer, as appropriate.

## 6.6 **Statistics Canada**

Sheridan will comply with requests from Statistics Canada and/or MTCU to provide data on Students and graduates in order to understand factors affecting enrolment demand at postsecondary institutions in accordance with applicable law. In order to carry out such studies, Statistics Canada asks all colleges and universities to collect and provide student identification information (student's name, student ID number, Social Insurance Number if provided), student contact information (address and telephone number), student demographic characteristics, enrolment information, previous education, and labour force activity.

The Federal Statistics Act provides the legal authority for Statistics Canada, the National Statistical Agency, to obtain access to Personal Information held by educational institutions. The information may be used only for statistical purposes, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that could identify a Student. Students who do not wish to have their information used are able to ask Statistics Canada to remove their identification and contact information from the national database.

## **7. Preferred Name and/or Gender Changes**

7.1 Sheridan allows students to record a preferred first and middle name (the “Recorded” name) and gender in their Sheridan Record, in addition to their legal name.

Sheridan will process a request from a student to change their Recorded First and Middle Name and/or Gender. Only the most current Primary Name utilized by Sheridan will be disclosed on transcripts, diplomas and class lists.

A change to a student’s Recorded Name and/or Gender on their Registered Student Record changes only the information for Sheridan administrative purposes and does not make any formal legal name changes. The Official Registered Student Record will maintain all names and information recorded by and approved by effective date while applying to or studying at Sheridan.

Sheridan will use a Student’s Registered Name, and Gender in all future correspondence about the Student with external parties, with the exception of government legislated reporting, which will be based upon the Student’s legal name. Gender is collected and recorded for statistical purposes and government legislated reporting. Options for Ministry reporting are: female, male or undeclared. Government legislated reporting includes reporting for OSAP and reporting an International Student’s enrolment status with Immigration, Refugees and Citizenship Canada.

If a Student has not formally and legally changed their Registered Name and/or Gender future employers, licensing bodies, external institutions (including, but not limited to OSAP, Banks, RESP providers, police record checks (required for some courses and/or placements), Revenue Canada, Immigration, Refugees and Citizenship Canada, and health insurance providers) or other educational institutions may require proof that the transcripts and diploma from Sheridan are authentic and a Student’s own. The use of a Registered Name other than a Student’s legal name may impede Sheridan’s ability to identify a Student after graduation and may create hardship for a student wishing to rely on Sheridan transcripts and credentials.

An international Student’s documents associated with their status in Canada, including their passport, entry visa and study permit, will continue to use their legal name and gender as Sheridan has recorded when they were admitted. A student’s legal name, gender and birthdate will be used to create an Ontario Education Number for the student as legislated by Ministry of Training, Colleges and Universities. Any deviation from the use of a Student’s legal name and gender on Sheridan documents may limit and/or delay a Student’s ability to interact successfully with agencies, such as Immigration, Refugees and Citizenship Canada, Canada Border Services Agency, or similar agencies in other countries (i.e. US Homeland Security).



## **8. Confirmation of Graduation**

- 8.1. Convocation programs, containing Students' names, program, and credential earned, year of graduation, and webcasts of the ceremonies, including individuals' images, are considered public information. Sheridan will confirm whether a student has graduated, the date of graduation and the name of certificate, diploma or degree obtained. For relationship building purposes, upon graduation, Students' personal information is shared with Sheridan's Advancement and Alumni Relations departments for alumni engagement.
- 9 The Responsible Office of this Policy shall be the Office of the Registrar.

## **10. Related Documents**

[Informal Request for Student Information from Individual and Third Party Procedure](#)  
[Informal Access Request for Student Information from Individual and Third Party](#)  
[Notice of Collection and Use of Personal Information](#)  
[Privacy Policy](#)  
[Preferred Name and/or Gender Change\(s\) Procedure](#)  
[Biographic Change Request Form \(Non-Legal\)](#)