



## Chinook's Edge School Division – Administrative Procedure

# AP 3 – 19 Right of Access and Right to Provide Permission

**Related Policies:**

**Initial Approval:**

**Related Procedures:**

**Last Amended: 2024 March 07**

**Exhibits:**

**Last Reviewed: 2019 November 26**

### PURPOSE

To ensure that access to students, access to student records, access to student information and providing parental permission are consistent with legislation.

### SCOPE

This procedure applies to all employees of Chinook's Edge.

### DEFINITIONS

*Parent* – means person defined as a parent or guardian in the *Education Act*; *Family Law Act*; *Child, Youth and Family Enhancement Act* or the *Young Offenders Act*.

*Independent Student* – means a student who is (i) 18 years of age or older, or (ii) 16 years of age or older and (a) who is living independently, or (b) who is party to an agreement under section 57.2 of the *Child, Youth and Family Enhancement Act*. An independent student is entitled to act as their own guardian.

### PROCEDURES

1. The Principal shall ensure that copies of the court orders or custodial agreements are stored in student Cumulative file as per section 2.1.2 of AP 3 – 18 Student Records.
2. Division staff shall not act contrary to the terms of the current court order on file.
3. Division staff shall adopt a position of neutrality with respect to outcomes in a custody and access dispute and will remain neutral at all times.
4. Division staff are not permitted to provide letters of opinion or support or to be interviewed by lawyers, parents, or other professionals pertaining to a custody dispute; nor are they permitted to voluntarily testify for, or against, one parent or the other, or in fact as a neutral party.
5. The principal may request proof of parental or guardian status when a claim is not supported by a birth certificate or court order.
6. The authority of a guardian may be limited by court orders or laws. When a person claims the existence of a limitation on the authority of a parent or guardian, the principal shall limit the authority of that parent or guardian only when the person requesting the limits provides proof of the claim.
7. In cases where parental permission or authorization is required for a student to participate in a program, activity or event; Division staff will only accept permission or authorization from a parent (as

defined in the definition above) or an independent student.

8. Guardian Orders must be in place at the school
9. All Division staff will only disclose student information, including student record information to a person defined as a parent under the *Education Act* and then only in accordance with the Student Record regulation and the *Freedom of Information and Protection of Privacy Act*.

## **REFERENCE AND LINKS**

*Education Act*

*Freedom of Information and Protection of Privacy Act*

*Child, Youth and Family Enhancement Act*

*Family Law Act*

*Corrections Act*

*Corrections and Conditional Release Act*

*Young Offenders Act*

## **HISTORY**

2014 April      Legal review

2014 June 3    Reviewed

2019 Nov 26   Reviewed

2024 March 7   Revised