

LDAO Public Policy Manual 2002

Section J: Records and Report Cards

The policies in this part relate to the requirements for the preparation and maintenance of records and other information (including report cards) about students with learning disabilities. Policies address the rights of parents and students to review and amend records.

Policies

- J1 Records
- J2 Access to School Records
- J3 Review of Records
- J4 Ontario Student Transcripts
- J5 Reporting to Parents I
- J6 Reporting to Parents II
- J7 Ontario Student records (OSR)

Policy J1 – Records

LDAO advocates that records compiled and maintained by any school board, facility or agency in relation to a student be accurate and pertinent and not contain speculation worded as fact.

Rationale

Student records, including the Ontario School Record (“OSR”) must accurately represent the student’s educational history and current situation. The purpose of these records is to assess the strengths and needs of the students, identify any social, emotional or behavioural problems and set out clearly what action has been taken and what progress has been made. It is imperative that these records be accurate and pertain to the stated purpose and not contain unfounded speculation or comments about the student.

References

- Education Act, s266
- Municipal Freedom of Information and Protection of Privacy Act, 1990
- OSR Guidelines, Ministry of Education, 1990

Policy J2 – Access to School Records

LDAO advocates that parents or students who are 16 years of age or older have full access to their or their child’s school records, including the right to receive copies of any information contained in the records.

Rationale

Student records are maintained for the benefit of the student. The parents and student, once he or she is 16, should have full access to these records, including the right to have a copy of all or part of the records.

The student’s Ontario Student Record (“OSR”) is kept at the school. Parents and students are guaranteed right of access to these records under the Education Act and the OSR Guidelines.

Many parents and students are not made aware of the fact that for students who have undergone psychological assessments and/or have received interventions that go beyond school-based remediation, there is a central file at the school board's special education or student services department. The OSR rules do not apply to this file, but freedom of information legislation does. That means that the parent or student, if he or she is 16 years of age or older, may review the contents of the file and obtain corrections to errors of fact, but may not remove any materials from it.

References

Education Act, s266

Municipal Freedom of Information and Protection of Privacy Act, 1990

OSR Guidelines, Ministry of Education, 1990

"For the love of learning", Report of the Royal Commission on Learning, 1995

Response to report of the Royal Commission on Learning, LDAO, 1995

See also: Appendix D

Policy J3 – Review of Records

LDAO advocates that each student's OSR be reviewed periodically and that parents and the student be informed that they have the right to question entries and have them corrected or removed if found to be inaccurate.

Rationale

Periodic review of each student's OSR is essential to ensure accuracy. The Education Act provides for the right to examine and correct or remove records. The Municipal Freedom of Information and Protection of Privacy Act provides for a person's right to access his own information and to request correction.

References

Education Act, s266

OSR Guidelines, Ministry of Education, 1990

Municipal Freedom of Information and Protection of Privacy Act, 1990

Policy J4 – Ontario Student Transcripts

LDAO advocates that transcripts for students with learning disabilities contain the same information as the transcripts of non-exceptional students (being subjects taken, final marks earned and the diploma achieved) and not include information about the learning disability, repeating a grade and/or retaking a subject or the accommodations provided to the student during the school year or when writing examinations.

Rationale

The primary purpose of a student transcript is to allow the student to provide information to postsecondary educational institutions, training program personnel or prospective employers about their academic achievement.

Disclosing the presence of a learning disability or providing information about any requisite accommodations is at the discretion of the student. Such information cannot be provided to third parties by the school without the explicit and written consent of the student.

References

Municipal Freedom of Information and Protection of Privacy Act, 1990

OSR Guidelines, Ministry of Education, 1989

Response to the consultation on secondary school reform, LDAO, 1997
Letter to EQAO regarding exemptions from testing and student transcripts, LDAO, 1998

Policy J5 – Reporting to Parents I

LDAO advocates that the format of report cards for exceptional students contain the same amount of detailed information about the performance of and outcomes achieved by the student as report cards prepared for non-exceptional students

Rationale

It is important to ensure that parents are well informed about the progress that their children are making in meeting the outcomes for their particular grade level and in acquiring the necessary skills for current and future success. The appropriate means of conveying such information is through the report card. In some cases, where the box for IEP is ticked on a student's report card, very little additional information is included about that student's progress. The existence of an IEP does not negate the need for an informative report card.

References

Response to the consultation on the IPRC process, LDAO, 1995
Letter to the Education Improvement Commission regarding the new Provincial report card format for elementary schools, LDAO, 1997
Letter to the Minister of Education and Training, LDAO, 1998

Policy J6 – Reporting to Parents II

LDAO advocates that the information provided to parents in the IEP, the report card and the transition plan be thorough, consistent and focus on the strengths and needs of the student.

Rationale

It is important to ensure that parents are well informed about the progress that their children making in meeting the outcomes for their particular grade level and in acquiring the necessary skills for current and future success. Information must be relevant and thorough.

References

Regulation 181/98
IEP Resource Guide, Ministry of Education, 1998
Directions for new provincial report card, Ministry of Education, 1998
Response to the consultation on the IPRC process, LDAO, 1995
Letter to the EIC, LDAO, 1997
Letter to the Minister of Education and Training, LDAO, 1998

Policy J7 – Ontario Student Records (OSR)

LDAO advocates that the Ministry of Education mandate and hold school boards accountable for compliance with all the relevant guidelines and legislation governing the contents of (school reports, IPRC documentation, IEPs, and other required information) maintenance of (including location within the school, review and amendment of contents, privacy, confidentiality, etc.) and access to (including consent, release of information and linkage to other information maintained by the school board about exceptional students such as centrally located, student services and psychological files) the Ontario Student Record.

Rationale

The Ontario Student Record is maintained primarily for the benefit of the student. The information that is required to be kept in the OSR, the right of access to the OSR and its contents and other important information related to it are legislated by the Education Act and the OSR Guideline. The OSR is passed from school to school as the student moves and is retained at the end of the student's school career at the last school attended. The information contained in the OSR is confidential and should not be released without the parents' and later on the student's consent to anyone who does not have an automatic right of access to its contents. This is often contravened. Similarly, sometimes the OSR contains information which should not be present, such as personal notes from teachers about the student and the results of tests and assessments for which the school did not obtain full consent. This can be particularly harmful for exceptional students who may have a number of psychological assessments and other similar documentation on file. In addition, for these students there is a central file, which is not covered by the OSR Guideline, but is subject to the Freedom of Information and Protection of Privacy legislation. Misuse of the information in the student's OSR can be harmful to the student during the school years and even after he or she has left school. School boards are not monitored for their practices in managing the OSRs of their students and parents are frequently not informed about their and their child's rights in relation to the OSR.

References

Education Act, s266, Ontario, 1990

Municipal Freedom of Information and Protection of Privacy Act, Ontario, 1990

OSR Guidelines, Ministry of Education, 1990

See also: Appendix D