

## GUIDELINES FOR RESPONDING TO QUERIES ABOUT STUDENTS

Langara faculty and staff may receive written or verbal requests for information or records about current and former students from external third parties as well as from colleagues in other departments. The following guidelines provide information for responding to common types of queries about students.

### Privacy and Access – Freedom of Information and Protection of Privacy Act

BC's *Freedom of Information and Protection of Privacy Act* (FIPPA) requires employees to use, access, and disclose personal information only as authorized under the Act:

- Employees are allowed to have access to personal information that they need to fulfill their duties and responsibilities;
- Employees are allowed to disclose or share personal information between departments (with or without a student's written consent) when an employee in one department needs to use the information maintained by another department to fulfill their duties and responsibilities. FIPPA does not consider such disclosures of the least amount of personal information necessary for work-related reasons as invasions of privacy;
- Employees are allowed to disclose personal information to external third parties with written consent;
- In certain specific circumstances, FIPPA authorizes employees to disclose personal information to external parties, such as law enforcement agencies, without consent; and.
- In emergency or other situations where the health and safety of a student and/or of other people is at imminent risk, employees may disclose personal information to external third parties or colleagues in other departments without consent.

## 1. THIRD PARTY QUERIES ABOUT STUDENTS

### Friends and Family

Forward verbal queries from friends, family members or other individuals to the student in question for response, except where the student has provided specific written consent permitting a response by a College employee.

*Sample response to parental inquiry*

**"Dear parent. Thank you for your inquiry. For privacy reasons we are unable to release information about individual students to third parties without the express, written consent of the student. I am unable to confirm that the person you mentioned is a student of the College, but if this person is, I encourage you to bring your questions to this individual directly."**

*Sample notification to student*

**"Dear student. Please be advised that an individual purporting to be your parent has made inquiries about your activities at Langara College. For privacy reasons, we are not able to release information about individual students to third parties with the express, written consent of the student involved. If you would like to provide consent to release information, I have attached a consent form for this purpose."**

### References

*Employment:* Employees may give a personal reference for a student, providing the student has given written permission for the reference (a short email is sufficient) and the reference pertains to the professional relationship between the employee and the student. Employees are discouraged from providing employment references for a student on behalf of the College (including written references on College letterhead) or

providing information about a student beyond the employee's direct experience with the student.

*Academic and scholarship:* Employees may give references, including written references on College letterhead, providing the student has given written permission for the reference and the reference pertains solely to matters relevant to the academic or scholarship request.

*Volunteer:* Employees may give personal references for volunteer work in the same way as employment references.

### **Legal or Governmental Authorities**

*Verbal queries:* Verbal queries for information about students from legal or governmental authorities (e.g. such as Immigration, Refugees and Citizenship Canada and Canada Border Services Agency), will require student authorization to communicate with these authorities. As a first step, Langara College staff will speak with the student to confirm the College's authority to speak with the external agency, and will receive written consent when appropriate and applicable. If speaking with the student is not an option, Langara College will require a consent form, signed by the student, to communicate with the respective authority (a faxed consent form is appropriate).

*Written requests:* Forward written requests from Immigration, Refugees and Citizenship Canada and Canada Border Services Agency to Registrar and Enrolment Services (RES). RES will prepare the requested records and send the request and records to Records Management and Privacy to respond.

### **Law enforcement**

*Verbal, written, and in-person queries:* Forward all requests and queries for contact and other information about students from law enforcement authorities or public bodies not previously mentioned (e.g. local police departments, BC Sheriff Services, RCMP, and WorkSafeBC) to the Manager, Safety, Security and Emergency Management to respond.

### **Other third party requests**

*Other verbal and written requests:* Forward verbal and written requests for student records (e.g. academic, counselling, accommodation, conduct) received from law firms and agencies such as ICBC to Registrar and Enrolment Services. RES and Records Management and Privacy will work together to process and respond to such requests.

Forward verbal and written requests for student records or information received from any organization not mentioned elsewhere in this guideline to the Manager, Records Management and Privacy to review and respond.

## **2. GUIDELINES – INTERNAL DEPARTMENTAL QUERIES ABOUT STUDENTS**

- Departments such as Safety, Security and Emergency Management or Organizational Risk may require ongoing or ad hoc access to student information in Banner and other systems to respond to urgent law enforcement requests, emergencies, or other health and safety-related incidents – during and outside of core business hours. To ensure that Langara responds effectively to incidents, the leaders of these departments will liaise with leaders in departments that maintain the data to arrange for the appropriate level of access.

When investigating health and safety-related incidents, Safety, Security and Emergency Management may require access to student information and/or records to comply with Occupational, Health and Safety

Regulations:

- (3) The employer must make every reasonable effort to have available for interview by a person conducting the investigation, or by an officer, all witnesses to the incident and any other persons whose presence might be necessary for a proper investigation of the incident.
- (4) The employer must record the names, addresses and telephone numbers of persons referred to in subsection (3).

[Section 69 - Incidents that must be investigated](#)

[Section 70 - Investigation Process](#)

- Employees who receive verbal or written requests from employees in departments other than Safety, Security and Emergency Management or Organizational Risk should forward these requests to their immediate supervisor or leader to review and respond.

**Resources:**

[Policy E2001 – Managing Access to Student Computer Records](#)

[Policy B5001 – Privacy and Access](#)

[H1005 – Occupational Health and Safety](#)

[Freedom of Information and Protection of Privacy Act](#)

[Occupational Health and Safety Regulation \(WorkSafeBC\)](#)

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