



4.6 Confidentiality Procedures for SBT

According to the Freedom of Information and Protection of Privacy Act (FIPPA):

- “Personal information” means recorded information about an identifiable individual other than contact information.
- A public body must protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure, or disposal.
- An employee, officer, or director of a public body (...) who has access, whether authorized or unauthorized, to personal information in the custody or control of a public body, must not disclose that information except as authorized under this Act.
- A person who contravenes section 30.4 (unauthorized disclosure) (...) commits an offense.
- A public body must ensure that personal information in its custody or under its control is used only for the purpose for which that information was obtained or compiled, or for a use consistent with that purpose
- **REMINDER** that The Freedom of Information and Protection of Privacy Act (FIPPA) gives parents the right to request records held by "public bodies" including school districts

According to the Office of the Privacy Commissioner of Canada:

- Organizations must generally obtain express consent when:
 - The information being collected, used or disclosed is sensitive;
 - The collection, use or disclosure is outside of the reasonable expectations of the individual; and/or,



- The collection, use or disclosure creates a meaningful residual risk of significant harm

Confidentiality Procedures for SBT

For the purposes of SBT, school teams must:

- *Ensure all students being discussed at SBT have a signed consent on record for that school year*
- *Include only objective, relevant information in the SBT notes related to support for that student, including the implementation of the IEP or tracking RTI for a student prior to developing and IEP*
- *Not include any irrelevant personal information about the student or family (i.e. personal family details not required for implementation of the student's support plan)*
- *Not include any subjective or interpretative language re: the student's or the student's family's personalities, behavior, motivations, impact on staff, etc.*
- A good guideline re: SBT notes is if it is information that would not be appropriate to include in an IEP, do not include it in SBT notes
- This standard should also be applied in any accompanying support documentation, i.e. behavior tracking or behavior support plans
- SBT notes should not be shared with the student's next school unless signed consent is provided by parents/legal guardians for that purpose