

# **FINANCIAL AID OFFICE**

## **Confidentiality & Privacy of Student Information & Records**

St. Clair College adheres to Canada's Freedom of Information & Privacy Act (FIPPA). Please refer to St. Clair College's Policy & Procedures Manual, Policy No. 1.1.7.

St. Clair College & the Financial Aid Office are committed to the protection of privacy and confidentiality of all its constituents. The information is collected for the purposes of administering the Ontario Student Assistance Program (OSAP) on behalf of the Ministry of Advanced Education and Skills Development (also referred to as "The Ministry") and any other need-based financial assistance as administered by St. Clair College. If you have any questions about the collection of information or the uses to which it will be put, please direct your questions to the Associate Registrar, Financial Aid Office. The Ministry administers OSAP under the authority of the Ministry of Advanced Education and Skills Development Act, R.S.O. 1990, c. M.19, as amended, R.R.O. 1990, Reg. 773, Reg. 774, and Reg. 775, as amended, and O. Reg. 268/01, as amended; the Financial Administration Act, R.S.O. 1990, c. F. 12, as amended; the Canada Student Financial Assistance Act, S.C. 1994, c. 28, as amended; the Canada Student Financial Assistance Regulations, SOR 95-329, as amended; and the Budget Implementation Act, 1998, S.C. 1998, c. 21, as amended. If you have any questions about the collection or use of this information, contact the Director, Student Support Branch, Ministry of Advanced Education and Skills Development, PO Box 4500, 189 Red River Road, 4th Floor, Thunder Bay, ON P7B 6G9.

### **1. CONFIDENTIALITY AND PRIVACY**

The Financial Aid Office has an obligation to protect the student's right to privacy and to make judicious use of student data and academic information in its possession as required by the Freedom of Information and Protection of Privacy Act, R.R.O. 1990, Province of Ontario (FIPPA).

The Financial Aid Office is responsible for and accountable for maintaining the confidentiality and privacy of all records containing personal or confidential information and for compliance with this policy when working with and having access to confidential records and personal information.

The Financial Aid Office will use organizational processes and security protocols to ensure the integrity, privacy, and confidentiality of the information in its records. The Administrator of the department shall be responsible and accountable for the implementation and operation of processes and protocols that ensure the confidentiality of the records and information, and the privacy of the individuals. Specifically, but not exhaustively, responsibility for the privacy and confidentiality of student and financial aid records rests with the Associate Registrar.

The Financial Aid Office will regard each student record as a unique and private document, maintained in a secure, controlled environment. All on-line or web accessible student information will reside on secure College owned and operated servers or on approved external third party operated servers, and be readily accessible to College employees responsible to the administration of such information.

Data held in student records, established and held by the Financial Aid Office, are subject to the principles of confidentiality of this policy. Financial Aid records are maintained live for two years following the student's last academic year, after which a permanent record is maintained by the Ministry of Advanced Education and Skills Development – Records Management Department.

## **2. STUDENT ACCESS TO INFORMATION**

Normally, no information will be released to external third parties without written student authorization. This includes requests from parents, social services, police agencies, credit bureaus, finance & loan companies, private investigation agencies, banks and similar organizations.

Documents from other institutions, such as high school or post-secondary transcripts which are submitted to support a student's application, will remain part of the student's OSAP file.

A student, upon written request and verification of identification, shall:

- a. Be given access to his own file,
- b. Be able to release all or part of the file to a third-party OR
- c. Be able to request that the file be held with no release allowed.

A student may have access to his own file but may not alter or remove any of the contents. Copies of their OSAP information or file can be given to the student with proper verification of identification.

Where an individual is granted access to his own file and disagrees with the content of the record or file, he may, in writing, request the correction of the information or require that a statement of disagreement be attached to the information where correction is refused. Any statement of disagreement will then be considered part of the file.

The College may hold back the release of a student's record, to the student or third-party, if there are debts outstanding to the College.

## **3. EXEMPTIONS TO ACCESS TO INFORMATION**

Access to information in the custody or control of the Financial Aid Office is governed by the provisions of FIPPA. When considering any request to access personal information or confidential information, the Financial Aid Office will apply the statutory exemptions as appropriate.

The following are illustrative of some of the relevant exemptions:

1. Where the disclosure could be reasonably expected to interfere with a law enforcement or legal matter or an ongoing internal investigation
2. Where disclosure would reveal information received in confidence from another government body or its agencies
3. Where the information was supplied in confidence, and is evaluative or opinion material where the disclosure would reveal the identity of the source who furnished information to the College in circumstances where it was explicitly stated or may reasonably have been assumed that the identity of the source would be held in confidence
4. Where the disclosure would reveal a trade secret, scientific or labor relations information of the College or a third party
5. Where disclosure would reveal information relating to specific tests or testing procedures or techniques that are to be used for educational purposes
6. Where the record or information is subject to solicitor-client privilege

#### **4. DISCLOSURE OF INFORMATION TO A THIRD-PARTY**

The Financial Aid Office may use and disclose personal information and confidential information for the purposes for which it was collected or generated or for any consistent purpose. The Financial Aid Office shall identify the primary purposes at the time of the collection or generation of the information.

The Financial Aid Office may disclose personal information with the specific, written consent of the individual or third party, or as otherwise permitted or required under FIPPA. Personal information will be released to a parent only with specific, written consent of the student on file. As well, confidential personal information and records will be released to government agents or agencies as required by law, and then only, that information specifically requested will be released. Where the requested disclosure is not required by law, specific, written consent of the individual must be obtained.

#### **5. BREACH OF CONFIDENTIALITY OR PRIVACY**

Breach of confidentiality or privacy includes any unauthorized or inappropriate access to, or disclosure of, personal information or other confidential information or records, whether such access or disclosure is intentional or inadvertent.

Any employee of the Financial Aid Office who becomes aware of a breach of confidentiality or privacy must immediately inform the Financial Aid Administrator/Associate Registrar.

The Financial Aid Administrator/Associate Registrar shall immediately inform the Associate Vice-President, Student Services & Registrar, the National Student Loans Service Centre as well as the OSAP Branch of the breach, and subsequently, steps taken to address the breach and to prevent further breaches. These actions shall be taken under the direction of the Associate Vice-President, Student Services & Registrar and the senior management of the College.

As directed by senior management, the responsible Administrator shall inform the individual(s) affected by the breach of the incident, including information of any measures being taken to address the breach. The responsible Administrator shall develop and implement process or protocols to prevent any further breaches, and shall consult with other responsible Administrators in determining the appropriate processes and protocols to put in place.