

EDUCATION FACT SHEET

Privacy in the School

Ontario's privacy laws set rules for how schools collect, use and disclose students' personal information.

WHAT IS PERSONAL INFORMATION?

Personal information includes information that identifies a person, such as name, address, and phone number. Other examples include:

- School photos and videos
- Health information
- Student records

PRIVACY BREACHES

If a school does not comply with the law when they collect, use, disclose, retain or destroy personal information, privacy breaches can occur. Some examples of privacy breaches, and their causes, include:

- a lost or stolen flash drive containing student or staff information
- correspondence mailed or emailed to the wrong person
- disclosing information about a student without consent or without legal authority

Teachers are responsible for following privacy and other laws, professional standards, and school board policies when collecting, using or disclosing personal information.



DO

- Protect your students' personal information by ensuring your files and electronic devices are secure
- Only collect personal information for education-related purposes
- Only disclose students' personal information with consent where necessary to deliver educational services or where permitted or required by law
- Seek guidance from your principal before using any new online educational tools that collect students' personal information
- Inform your supervisor, manager or principal when you become aware of a privacy breach or potential privacy breach, and participate in any resulting investigation

DON'T

- collect more personal information than you need
- disclose personal information about your students unless it is necessary for education reasons, you have consent or are permitted or required to by law
- use identifiable photos or information about your students on social media without consent

DISCLOSURE TO A CHILDREN'S AID SOCIETY

- If you suspect that a child under the age of 16 is in need of protection, you are required by law to immediately report the information to a children's aid society. If the child is 16 or 17, you may still report suspicions to a children's aid society, but you are not required to by law.

DISCLOSURE TO LAW ENFORCEMENT

- Schools may sometimes be required by law to disclose information to law enforcement agencies, including police.
- In addition, a school is permitted to disclose personal information to a law enforcement agency to aid an investigation if it has a reasonable basis to believe an offence has occurred
- Teachers should always consult with principals in any case involving disclosure to law enforcement.

For more information about the collection, use and disclosure of students' personal information, contact the Information and Privacy Commissioner of Ontario at **info@ipc.on.ca**.

