



### Whom can I contact to request access to my Personal Health Information?

The request to access your child's information is made to the Student Services staff member who collected that information and is responsible for its safe retention. Should that person be unavailable or no longer employed at the school board, the request should be made to the Superintendent of Education: Exceptional Learners & Safe Schools.

Some information is exempt from the right of access, which may include raw data and test protocol from psychological and speech and language assessments. If releasing the information could result in risk of significant harm to either the individual or others, access to that information may be denied. Where a restriction on access exists, that part of the record may be severed from the part of the record that is accessible.

Questions about access and use of your personal health information may be directed to the Freedom of Information Administrator at 905-713-2711 ext. 3848.

### What if I disagree with something that is in my child's Personal Health Information file?

All reasonable attempts will be made to ensure that the information collected about your child is accurate. If, however, you disagree about the accuracy of the information, you may request the Student Services staff member who has the information to make a correction to his/her record. Where it is demonstrated that the record is incomplete or inaccurate for the purposes for which the staff member uses the record, it will be amended to be factually correct. However, staff are not required to change a professional opinion or observation made in good faith, a record that was not originally created by the staff member or where the staff member has insufficient knowledge or authority to make the correction. If the request to correct a record is refused, the individual making the request will be informed of the refusal, be provided reasons, and be informed of the right to appeal the refusal and the right to attach a statement of disagreement to the original record.



### To whom do I appeal if I am dissatisfied with the decision?

If you are not satisfied with the decision of the Student Services staff member regarding the collection, use, or disclosure of your child's Personal Health Information, your access to it, or your request to have incorrect information corrected, you may appeal to:

The Ontario Government's Information and Privacy Commission at:  
Phone: 416-326-3333  
web: [www.ipc.on.ca](http://www.ipc.on.ca)  
E-mail: [commissioner@ipc.on.ca](mailto:commissioner@ipc.on.ca)

Personal information is collected pursuant to the *Education Act* and the *Municipal Freedom of Information and Protection of Privacy Act*. Questions about the collection and the use of this personal information should be directed to the Freedom of Information Administrator, York Catholic District School Board, 320 Bloomington Rd. W., Aurora, Ontario, L4G 3G8 or (905) 713-2711 Ext. 3848.



York Catholic District School Board

Elizabeth Crowe  
Chair of the Board

Susan F. LaRosa  
Director of Education

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York Catholic District School



## Practices of York Catholic District School Board's Health Information Custodians (Student Services non-teaching staff) Regarding the Use, Collection, and Disclosure Of Personal Health Information





### **What is Personal Health Information?**

Personal Health Information (PHI) is information which is gathered through observation, conversation, examination, assessment, treatment, etc. that pertains to an individual's physical or mental condition. This could include information about a student's intellectual ability, cognitive and language skills, medical condition, behaviour, and emotional functioning. An individual's consent is required for the collection, use and disclosure of his or her Personal Health Information.

### **Who may consent to the collection, use or disclosure of Personal Health Information?**

A capable individual can consent to the collection, use, and disclosure of his or her own Personal Health Information. That is, anyone who has the ability to understand the information that is relevant to deciding whether to consent, and has the ability to appreciate the consequences of that decision, may provide consent. Where a person is deemed not capable of giving informed consent, a substitute decision-maker is allowed. Normally, the parent or legal guardian of a student under the age of 18 years consents on behalf of the student.

### **Why is information being collected and how will it be used?**

Information is being collected to assist the student with his or her educational program. The information collected is used by teachers and YCDSB staff to plan and deliver educational programs and services which best meets the student's needs.



### **With whom will the information be shared?**

The information collected may be shared with other YCDSB staff who are working directly or have responsibility for the student (e.g., school principal, vice-principal, classroom teacher(s), special education and guidance staff, other Student Services staff). The information will also be shared with the parent or guardian of the student, and the student him/herself when appropriate.

Only with the written consent of the parent/guardian (and the student if appropriate) will the information be disclosed by the person holding it (the Health Information Custodian) to anyone else (for example, a physician, a community agency, etc.). There are some exceptions to this, however, as follows:

1. if the person collecting the information has reason to suspect that a child about whom he or she is collecting information is in need of protection, this information must be reported to the Children's Aid Society;
2. where there is evidence that the student may be at risk of harming him/herself or others;
3. where it is learned that a member of a regulated health profession may have engaged in sexual harassment or abuse of the student; and
4. where records are ordered to be produced as required by law.



### **Where will the information be kept?**

The Personal Health Information will be stored under locked, secure conditions at the Student Services office of the York Catholic District School Board.

### **How long will the information be kept?**

The Personal Health Information collected about an individual will be kept for a minimum of 10 years from the last date of contact with the person, or until the person is 31 years of age, whichever of these two events occurs later. At that time, the material will be shredded.

### **Who will have access to the information?**

Information retained by Student Services staff is accessible only to Student Services staff members, and others only if consent has been granted. If your child's Personal Health Information has been accessed by an unauthorized person, stolen, lost, or if there is a privacy breach, you will be notified. The information kept in a student's Ontario Student Record at the student's school may contain a copy of any report produced by Student Services staff, and is accessible to the person about whom the report is written, the parent or guardian of that student, and the relevant school staff members who are involved in the education of that pupil. School staff cannot release this information to anyone without the consent of the person about whom the information has been collected, or his or her parent/guardian.