

Sharing of Student Information – FIPPA for Faculty

What is considered “personal information”?

Under the Freedom of Information and Protection of Privacy Act (FIPPA), “personal information” means recorded information about an identifiable individual, including,

- information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- information relating to the education (including grades), medical, financial, psychiatric, psychological, criminal or employment history of the individual,
- any identifying number, such as student number, Social Insurance Number, Health Card Number, etc.
- the address, telephone number, email address (including TrentU email address),
- personal opinions of, or about, an individual (including instructors’ evaluative comments on a student’s work),
- correspondence sent to an institution by the individual that is of a private or confidential nature, and
- the individual’s name where it appears with or reveals other personal information.

Collection, Use, and Access to Students’ Personal Information

As a faculty you should not collect, access, or use any more personal information from your students than you actually need to conduct your course.

- In general, you do not have the right to consult a student’s academic record outside your course or to access other personal information about the student which is not necessary for your course.
 - Employees charged with academic advising may confidentially access these records only to the extent necessary to discharge their duties.
 - Senior Administrators, Deans, Directors, Chairs and their specified administrative staff may access records only for necessary administrative purposes and are not authorized to share these records with faculty.

Disclosure of Students’ Personal Information

An individual’s personal information in your possession as a result of your role as a faculty member should NOT be revealed to others unless one or more of the grounds for disclosure listed in section 42 of FIPPA apply. The most applicable grounds for disclosure include:

- the individual consents to the disclosure (this should be received in writing);
- the disclosure is consistent with the purpose for which the personal information was obtained;
- the disclosure is made to an officer, employee, consultant, or agent of the University who needs the record in the performance of their duties.

Sharing Information Via Email

While email can be a useful method for communicating, you need to be cautious when using it to share personal information. Emails can be easily forwarded and, if there are multiple

recipients it may be assumed that the information is not confidential. It is best practice to email people individually in emails. It is important to note, that non-Trent emails are not secure for transmitting personal, sensitive, or confidential information. Lastly, unless encrypted, email is not recommended for transmitting highly sensitive or confidential personal information, however secure methods are available – contact the IT Help Desk for information.

Students at Risk

Employees have a duty to act if they have reason to believe a student may be at risk of bodily harm (to self or others). In emergencies, safety is more important than privacy.

FREQUENTLY ASKED QUESTIONS:

May a faculty ask students for their personal information?

- Faculty may ask for personal information from students, but only as necessary for course or program delivery. The information collected must be used for the purpose for which it was obtained and students must be informed of this purpose. If a student informs the faculty member they are ill, the faculty member may not ask directly about the illness, but how it will impact their course work, such as how long they will be away from class.

A student informed me that they were ill, which was impacting their course work. Could I share this with the student's other instructors?

- If a faculty member feels this information may be pertinent to the student's other instructors it is recommended that they encourage the student to disclose the information to their other instructors themselves.

If I believe a student could benefit from Counselling Services or Student Accessibility Services can I contact the relevant department and provide them with the student's information?

- A faculty member should not release this information, unless they have written consent from the student or there is a concern of risk of bodily harm. However, these resources could be recommended to the student for them to pursue on their own. Sometimes a faculty may want advice from one of these departments. Best practice is to describe the situation without disclosing the student's identity.

I have received information about a student from Student Accessibility Services (SAS) or an Academic Advisor. Is this a breach of the student's privacy?

- SAS and Academic Advisors seek consent prior to releasing any student information to a faculty member, therefore it is not a breach of privacy.

What if I need advice on a situation where confidentiality cannot be maintained?

- It is recommended that you reach out to your supervisor for advice.

Whenever you're in doubt, you can always contact the Access/Privacy Office at privacyinformation@trentu.ca or 705-748-1387.