



APPENDIX B

Disclosing Personal Information to Police: Guidelines for TCDSB Schools

The *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* defines personal information as recorded information in any form that identifies an individual. As TCDSB schools collect and maintain a great deal of students' personal information, we are required by law to securely protect this information, and to only disclose it under specific circumstances. One circumstance in which schools may disclose student personal information is to aid police in an ongoing criminal investigation. However, within this circumstance, there are practices that school administrators must be aware of to ensure disclosure is carried out lawfully and responsibly.

Please note the following guidelines for school administrators regarding the release of student information to police:

1. All requests must be documented and retained in the principal/vice principal's private file at the school for a minimum of one year: Refer to *Appendix A: Police Requests for Personal Information*.
2. Before any student information can be released, police must confirm that the specific information needed is in aid of an ongoing criminal investigation.
3. Any personal information can be disclosed immediately to police if you deem it to be an exigent circumstance where disclosure would directly prevent imminent harm to an individual. This determination should be made by the school principal/vice principal.
4. In non-exigent circumstances, Police should request information in person or in writing (Toronto Police Service e-mail address is acceptable). If information must be disclosed over the phone, it should only be disclosed once you have determined that you are speaking with the Toronto Police Service (TPS).
5. Normally, only basic personal information specific to an individual student should be released (i.e., name, date of birth, address and telephone number, name of parent or guardian, attendance information). The disclosure of detailed or sensitive personal information, such as information contained in the student's OSR, may require a court order appropriate to the situation (e.g. production order). In cases where you are unsure about the disclosure request, contact ~~Bryan Shannon~~ the Senior Manager of Archives, Records Management and Freedom of Information.
6. Student information should normally be disclosed verbally, not copied and distributed, unless it is necessary to the investigation. Original copies of records must never be released.
7. Requests must target information about students who are directly related to the investigation. A court order is necessary for broad requests for information about large groups of students, or requests pertaining to students not directly related to the investigation. If you are unsure about the breadth of the request, contact the Senior Manager of Archives, Records Management and Freedom of Information.
8. Any information can be released with written consent from parents of students up to 18 years of age. Students 18 years of age or older must provide their own consent. Students who are between 16 and 18 years of age who have officially withdrawn from parental control must provide their own consent.

Determining whether personal information should be released to police can be a difficult process. For assistance, school administrators are encouraged to contact the Senior Manager of Archives, Records Management and Freedom of Information-at 416-222-8282, ext. 2162

Appendix A: *Police Requests for Personal Information*

This Form is to be completed by the school principal/vice principal

Law Enforcement Official	
Full Name	
Rank	
Badge Number	
Details of Request	
Is request in aid of an ongoing criminal investigation?	Yes No
Does request require a court order (e.g. production order)?	Yes No
Date court order provided (if applicable)	
List of all information provided to police (if personal information about more than one student is requested, attach additional information to form)	
Student Name:	

Information Provided:	

Information Provider	
Name of Principal/Vice Principal	
School	
Signature	
Date Information Provided	

The information contained in this form is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56* and the *Toronto Police Services/Toronto Catholic District School Board Protocol*. It will only be used for the purpose for which the information has been collected. This form shall be retained for a minimum of one year.