

2022 Updates

ASBOA Model Retention Schedule Citation List Toolkit & Website



ASBOA Records Management Committee Members

- ❖ Rena Yakemchuk, Chair - Greater St. Albert Catholic Schools
- ❖ Theresa Wiebe, Vice Chair - Peace River School Division
- ❖ Amanda McNaught, Secretary - Calgary Catholic School Division
- ❖ Fatima Parvez - Calgary Board of Education
- ❖ JoAnn Vanstone - Peace Wapiti School Division
- ❖ Lea Beeken - Edmonton Public School Board
- ❖ Amanda Lindemann, ASBOA Executive Liaison - Holy Spirit Catholic Schools



Welcome everyone to our update session. ASBOA has again enlisted the help of Stuart Rennie, *Lawyer & Records Management Consultant*, who identified the necessary updates to our Citation Information List and New Legal Retentions for our Records Retention Guideline. We're happy to share those updates with you, as well as a few other bits of information that we hope you'll find helpful.

A quick introduction of our current committee members before we get started:

Agenda

- ASBOA Web Page Updates
- Citation List Updates
- Retention Schedule Updates
- New Newsletter
- Call for Committee Members



Agenda topics today:

Some housekeeping notes:

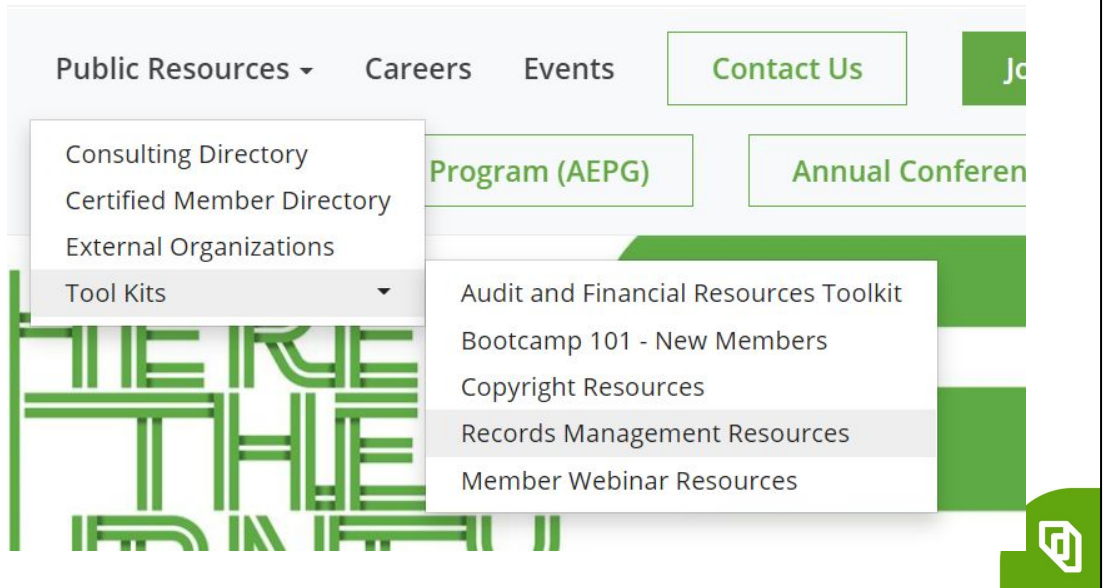
We are recording this session and will be posting it to the ASBOA webpage for your own review after, or for those who weren't able to attend today.

We'll go through each section on our agenda; please feel free to submit questions, either in the chat or by raising your hand. We'll do our best to answer questions as we go through, and will catch up with anything that may have been missed at the end of the session.

ASBOA Records Management Webpage Updates

As part of the review and update to the Retention Guideline the resources on the ASBOA web site (<https://asboalberta.ca/>) have been reorganized:





Let's walkthrough the ASBOA web pages:

Go to ASBOA web page – asboalberta.ca

Click the drop-down arrow besides '**Public Resources**'

Choose '**Toolkits**'

Choose the '**Records Management Resources**' Toolkit

Records Management Resources

ASBOA's *Areas of Practice* defines key competencies for School Business Officials in Alberta in Nine areas. One of the expectations in the Technology Area of Practice is Records Management and the development of a records retention policy and schedule for appropriate retention and disposal of records.

Records management is the practice of managing records of an organization through their lifecycle from the time they are created to their eventual disposal. This includes identifying, classifying, storing, securing, retrieving, accessing, tracking and destroying or permanently preserving records.

A School Business Official:

- understands and ensures an appropriate records management system is in practice that addresses jurisdictional needs in keeping with legislative requirements
- understands how the management of records must comply with the Information and Protection of Privacy requirements

For more detailed information see the [Technology Management Area of Practice](#).

The ASBOA Records Management Committee has developed a number of resources to assist School Business Officials and their staff with records management.

Student Records Digitization Guidelines and Toolkit

- This is a living document to assist school jurisdictions as they work towards completing PASI Digital Student Record Initiative and maintaining student records in the future. Concepts would also apply to any digitization project.

Model Records Retention Guideline and Toolkit

- Whether you are new to Information Management, looking for on-going support, or considering re-developing your current systems and schedules, this Model Records Retention Toolkit will be an invaluable resource.

Samples and Resources



Records Management Resources page

<https://asboalberta.ca/305557/Page/Show?ClassCode=Page&Slug=records-management-resources>

The introductory information at the top of the **Records Management Resources Page** explains that records management is a key responsibility of School Business Officials in the area of Technology Management.

For those of you in this session that are school business officials, there are links to ASBOA's Areas of Practice and specifically, Technology Management.

ASBOA has struck a **Records Management Committee** to develop resources to assist School Business Officials and their staff with Records Management. There is a link to information about the Records Management Committee.

The Committee has developed several toolkits including the

- **Student Records Digitization Guidelines and Toolkit** – we are not here to talk about this particular toolkit today, but this is where you will find information about the PASI Digital Student Record Initiative and digitization of records
- **Model Records Retention Guideline and Toolkit** – these resources have been reviewed and updated and we will be talking more about this toolkit in a moment.

Additional Records Management Resources

- Sample templates for Admin Procedures, forms, naming conventions
- Tip sheets
- Resources from workshops and Information Sessions
- Other Resources (ATLE and FOIP)



Additional Records Management Resources

(<https://asboalberta.ca/Stories/sample-record-management-procedures>)

And finally, at the bottom of this page is a link to **Additional Records Management Resources**.

This **Additional Records Management Resources** link includes samples of Records Management Admin Procedures, forms, and naming conventions, tip and sheets.

This page also has resources from past workshops and information sessions.

Model Records Retention Guideline and Toolkit

- Model Records Retention Schedule Guideline
- Citation List
- How to use the Model Guideline
- Updates
- How to establish a Records Management Program
- Original Project Overview



Let's go to the **Model Records Retention Guideline and Toolkit** – the link is in the middle of the Records Management Resources page.

Model Records Retention Guideline and Toolkit

(<https://asboalberta.ca/page/model-records-retention-guidelines-and-toolkit>)

Introduction –

For those of you who are new to Information Management – the Introduction provides some context on the development of the resources – The Toolkit was developed in 2017 by a working group. Maintenance of the toolkit was delegated to the ASBOA Records Management Committee. Legislation changes – so one of the Committee's responsibilities is to review the Citation List and Retention Schedule regularly, approx. every 3 years. Our first review of the original toolkit has been completed and that is what we are here today to talk about.

The Guidelines and Toolkit section has the links to the essential parts of the toolkit

- **The ASBOA Model Records Retention Schedule Guideline** – Theresa will go over specific changes in a moment
- **The Citation List** – which provides the legal references for required retentions in the Guideline – Amanda will go over specific changes to this list in a moment
- **How to use the Model Guideline and Citation List** – self explanatory

Spring 2017 - Donna Molloy, a records and information management professional, facilitated the workshop. Resources include the slides from the PowerPoint Presentation as well as the Action Plan template.

- **Original Project Overview** – which provides context

Model Records Retention Guideline and Toolkit

- Glossary
- Case Studies
- Records Management Sessions



Also on the page are some other resources including a glossary some case studies

Records Management Citation Information List

RECORDS RETENTION PROJECT CITATION INFORMATION LIST

Preamble

The ASBOA Citation Information List is designed to be used in conjunction with the ASBOA Model Records Retention Schedule Guideline and Toolkit. Legal citations appear as a numbered code in the Schedule under the 'Legal Citation' column. The numbered code is described in detail in this List, including a hyperlink to the legal resource.

The Citation Information List was created in 2017. In 2021, research was conducted by Stuart Rennie, lawyer and records management consultant (stuart@stuartrennie.ca), on relevant bills from the Alberta Legislative Assembly, and the Alberta and Canadian statutes and regulations. As a result, the Citation Information List was updated. The changes are current to December 3, 2021. Mr. Rennie recommends using www.canlii.org as the preferable database since it is automatically updated for the user as the laws change from time to time while the Alberta Queen's Printer is not.

This Citation Information List is legal information only and not legal advice. If users intend to rely on this legal information, they should retain a qualified lawyer and use the relevant official paper versions of the relevant statutes and regulations.

#	Citation Information
3	<p>Canada Pension Plan, RSC 1985, c C-8</p> <p>Part I – Contributions</p> <p>Division C – Collection of Contributions</p> <p>Employees and Employers</p> <p>Books and records</p> <p>24(1) Every employer paying remuneration to an employee employed by him in pensionable employment shall keep records and books of account at his place of business or residence in Canada, or at such other place as may be designated by the Minister, in such form and containing such information as will enable any contributions payable under this Act or any contributions or other amounts that should have been deducted or paid to be determined, and</p>

Amanda - A legal citation is a specific legal source. The Citation Information List - this slide shows a quick screenshot of page 1 - is a collection of all the legal authorities the retention recommendations in the Guideline were based on. Since the initial List and Guideline were created in 2017, many of the Acts and Regulations have been updated, amended or repealed, or new law has been enacted. ASBOA hired Stuart Rennie, a lawyer specializing in records management, to review all the statutes and regulations cited in the original list to ensure the retention recommendations in the Guideline were accurate and current to Alberta and Canadian law.

A quick review of how the Guideline and Citation List work together - if we look at the **Guideline, page 12, Record #FA-19, Pension Contributions/Support, shows #3, 74, 190, 202 & 217 under Retention Value & Legal Citation**

When we look at the updated **Citation Information List**, the first citation is #3, *Canada Pension Plan*. That means CPP may apply to those records. The Citation List will show the name of the legislation, which is a link to the current version of that law. We have included applicable section headers (they are bolded) and sometimes we include the actual text, but not always. We didn't want the list to become too cumbersome. It is good practice to look at the actual piece of legislation before relying on it. The text in the list is just meant to put specific sections on your radar to check as appropriate to your situation.

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
15 <i>Copyright Act</i>	s. 6 - legal retention increased from 50 to 75 years for protection of anonymous and pseudonymous works	EP-01, EP-06
<i>Trademarks Act</i>	s. 46 - Registration and renewal period for a trademark was reduced from 15 years to 10 years	



Amanda - Now on to the changes we want to bring to your attention based on the legal review and update. On the ASBOA website, on the Model Records Retention Guideline and Toolkit page, under **Updates, the May 30, 2022, version of the Citation List** is posted and the changes we are going to review are marked in red and highlighted for ease of reference. READ SLIDE.

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
90 <i>Charitable Fund-Raising Act</i>	No changes to retention New Regulations under the <i>Education Act</i> : <ul style="list-style-type: none"> ● <i>School Fees Regulation</i> ● <i>School Transportation Regulation</i> ● <i>Special School Tax Levy Plebiscite</i> 	FA-11 FA-12 FA-13 FA-21
119 <i>Employment Standards Regulation</i>	Minor amendments to provisions around exemptions for recordkeeping	HR-07-01



No changes to retention under the *Charitable Fundraising Act*, but there are three new Regulations under the ***Education Act***, that can affect records in the Record Services for FA-11, 12, 13, and 21. READ SLIDE.

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
170 <i>Education Act</i>	Replaced the repealed <i>School Act</i> No retention changes New Regulations under the <i>Education Act</i> : <ul style="list-style-type: none"> ● <i>Board Procedures Regulation</i> ● <i>Establishment of Separate School Districts Regulation</i> ● <i>Home Education Regulation</i> ● <i>Petitions and Public Notices Regulation</i> 	CG-03-02, CG-05, CG-06-01, CG-06-02, CG-09 HR-07-01, HR-07-03 LE-03, LE-12 SI-03, SI-06-01



In 2019 the Alberta government repealed the *School Act* and replaced it with the *Education Act*. It is substantially similar when it comes to records retention. The Regulations under the *School Act* were also repealed, some were replaced and some are new.

There are 23 Regulations under the *Education Act*. The four listed here have clauses that may affect records in the Record Series listed. No changes to retention periods, but, for example, the *Board Procedures Regulation* contains some requirements about the creation of records

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
180 <i>School Councils Regulation</i>	Version under <i>School Act</i> repealed & replaced by version under <i>Education Act</i> No change to 7 year legal retention for school council meeting minutes	CG-04, CG-06-01 FA-10-01, FA-10-02 CO-08
183 <i>Student Evaluation Regulation</i>	Repealed under <i>School Act</i> on Sept 1, 2019, and not replaced Kept in Citation List because some records affected by retentions may still exist	AM-03-02 CG-03-02



The *School Councils Regulation* is an example of a Regulation that was repealed under the *School Act* and replaced under the *Education Act*. It is substantially similar to the previous one and there was no change to the 7 year retention of school council meeting minutes. I just wanted to highlight that it is not the same Regulation as before and why.

The *Student Evaluation Regulation* was repealed under the *School Act* and not replaced. We kept it in the Citation List for this update because it was only repealed on Sept 1, 2019, so there may be some records still affected by it. For example, the retention for records under CG-03-02, Corporate Governance, Committees of the Board, is E + 2, the Event being when the committee is dissolved, so files should be kept for 2 years after the Committee is done and some Committees affected by the *Student Evaluation Regulation* may not have been dissolved yet.

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
184 <i>Student Record Regulation</i>	Version under <i>School Act</i> repealed & replaced by version under <i>Education Act</i> Retention periods did not change	CG-04, CG-06-01 FA-10-01, FA-10-02 CO-08
185 <i>Student Record Regulation</i>	Combined with #184 because it was a duplicate Reference to #185 removed from Guideline	



The *Student Record Regulation* is another example of a Regulation repealed under the *School Act* and replaced under the *Education Act*. Retention periods did not change.

#185 was combined with #184. No further referenced to #185 in the Guideline.

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
202 <i>Protection of Students with Life-threatening Allergies Act</i>	New legislation in 2019. Contains requirements for establishing an anaphylaxis policy and the creation of records	CG-06-02 FA-06, FA-14-01, FA-14-02, FA-17-02, FA-19 FM-02-01, FM-03, FM-04, FM-05, FM-06, FM-09-02 HR-02, HR-07-01, HR-07-02, HR-07-03, HR-15 HS-01, HS-02-01, HS-02-02, HS-03, HS-04, HS-06 LE-01, LE-03, LE-07
<i>Workers' Compensation Act</i>	No retention changes	
<i>Workers' Compensation Regulation</i>	s. 9(2) Recording an accident and s. 10 Notice by employer of an accident have been repealed	

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The *Protection of Students with Life-threatening Allergies Act* is new legislation that came into force in 2019. Contains requirements for establishing an anaphylaxis policy and record-keeping.

Citation #202 is referenced the most in the Guideline, it comes up 26 times. Mostly in relation to the *Worker's Compensation Act* and *Regulation*. There were no changes to retention periods in either, but s. 9(2) and s. 10 re: creation of records (recording and notice of an accident by an employer) have been repealed

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
225 <i>Occupational Health and Safety Act</i> , SA 2020	Previous version repealed & replaced s. 33 re: reporting serious injuries and accidents (previously s. 18) legal retention updated from “2 years” to “at least 2 years after the injury”	HS-02-02
<i>Occupational Health and Safety Regulation</i>	Repealed. No retention changes	



Occupational Health and Safety Act is another Act that was repealed and replaced. In the previous version s. 18 contained the legal retention of reports of serious injuries and accidents. In the current version, that is now s. 33. The retention is the same, with a minor addition that reports of injuries, illnesses or accidents should be retained for “at least 2 years after the injury”.

The *Occupational Health and Safety Regulation* was repealed and not replaced

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
225 Continued <i>Occupational Health and Safety Code</i>	New Regulation under <i>Occupational Health and Safety Act</i> , in force December 1, 2021 s. 20 - 3 year legal retention for airborne concentration measurements s. 58 – 1 or 2 year legal retention for entry and work in confined spaces records, dependent on whether an incident or unplanned event has occurred during the entry	HS-02-02

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The *Occupational Health and Safety Code* is a new Regulation under the *Occupational Health and Safety Act*. There are quite a few retention requirements under this Regulation, which only applies to the Records Series HS-02-02, Health and Safety - Inspection Reports. READ SLIDE.

Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
225 Continued <i>Occupational Health and Safety Code</i>	s. 183 – 3 year legal retention injury or illness records s. 198 – 2 year legal retention for minutes of special meetings of joint health and safety committee s. 220 – legal retention of noise exposure assessment records is for as long as the employer operates in Alberta	HS-02-02



Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
225 Continued <i>Occupational Health and Safety Code</i>	s. 223 – 10 year legal retention of audiometric testing records s. 291.5 – 5 year legal retention of records re: monitoring worker exposure to ionizing radiation	HS-02-02
233 Alberta Education's Off-Campus Education Handbook	Updated to 2019 edition Page 33 - 7 year legal retention for student record	SI-07



Records Management Citation List Updates to Note:

Citation # & Legislation	Changes	Record Number
236 <i>Education Act</i>	s. 22 re: Off-campus education programs (was s. 54 under <i>School Act</i>) Requirements re: obtaining consent	SI-07, SI-08-01, SI-08-02
245 <i>Freedom of Information and Protection of Privacy Act</i>	Combined with #125 because it was a duplicate Reference to #245 removed from Guideline	



You may notice that the *Education Act* is in the Citation List in two places, at #170 and again at #236. The entry at #236 is related only to s. 22 re: Off-campus Education. We didn't want it to get buried with everything else in #170.

And finally, #245 re: the FOIP Act was a duplicate so we combined it with #125 and removed reference to #245 from the Guideline.

Records Management Retention Guideline Updates to Note:

Record Number and Series	What changed
HS-02-02: Health and Safety - Inspection Reports	Additional Comments
SI-07: Programs - Co-operative Education	Additional Scope Notes Longer Retention New Legislation/Citation
SI-06-01: Student Records	Additional Scope Notes
SI-06-02: Student Record – Administrative or Secondary File	Shorter Retention Additional Comments



As noted by Amanda, there are quite a few citation numbering updates in this version of the Records Management Retention Guideline. We won't go through those changes individually, but they are all noted in the Retention Value & Legal Citation column of the Guideline and can be spotted easily by looking for the tracked changes in the document as posted in the Updates section of the website.

In addition to the citation number changes, there were 4 record types that had significant updates within the Guideline.

1. **HS-02-02: Health and Safety - Inspection Reports**

- a. Comments/Questions/Suggestions column was updated to reflect some changes within the Occupational Health and Safety Code. The retention set at 3 years is sufficient, however if there are records monitoring worker's personal exposure to ionizing radiation, the retention should be increased to 5 years. The guideline now states:

*Special circumstances might affect the retention of some inspections (e.g., fire code inspections, or machinery inspections, or playground inspections or **monitoring ionizing radiation.**)*

2. **SI-07: Programs - Co-operative Education**

- a. Legislation has been updated by Alberta Education: *The Off Campus Education Handbook*, cited as #233 in our citation list, has specified that the legal requirements for student records pertaining to co-operative education programs should be 7 years, so we have changed the Guideline from 3 years to 7 years to reflect this. This is specific to off-campus education records, such as work agreements, employer evaluations of student' work, student timesheets, etc, as listed in the *Off Campus Education Handbook*.

3. **SI-06-01: Student Records**

- a. The Scope Notes (Description) has an added note to ensure clarity between this record series and SI-07: ***This excludes records that are part of Off-Campus Education (see SI-07)***

The Committee wanted to be extra clear that the records mentioned in the *The Off Campus Education Handbook* are not specified in the Student Record Regulation and therefore should not be kept as part of the Official Student Record. They would not be uploaded to PASI so you will need to keep these files separately.

4. **SI-06-02: Student Record – Administrative or Secondary File**

- a. As part of our review, the Records Committee has changed the recommended retention for secondary or administrative student files from E+3 to E+1 years, meaning the minimum suggested retention is 1 year after a student leaves a school. This decision was made to follow the “minimum recommended retention practice” followed in the entire Guideline.

Note that there is not legislation guiding this recommendation and that each jurisdiction should consider their own operational needs when setting this record series' retention.

- b. We also reviewed the Comments/Questions/Suggestions column and updated it to provide more clarity. It now states: *Administrative files are records that are specific to the student but not part of the SRR. Such as incident tracking, letters to parents, etc. These records are generally transitory or have a short retention and would not be transferred as part of the student record. On occasion some of these records may be transferred between schools at the discretion of the principal, for the safety of the student and to the benefit of the student's education. (ie, VTRA).*

And that brings us to the end of our updates!

Records Management Committee Communication

- Stay in touch with people in the Records Management field
 - Watch for our Newsletter!
- Questions or suggestions regarding Records Management?
 - Direct them to ASBOA office



We feel it's important to stay in touch with people in the Records Management field and we're hoping to do that by a quarterly newsletter. This newsletter will be sent out to anyone registering for this webinar, if you have indicated that you wish to receive updates on this topic.

If you have any questions or suggestions regarding Records Management, the Retention Schedule or wish to confirm that you have signed up for the Records Management newsletter, please contact the ASBOA office at susanlang@asboalberta.ca.

We will address answers to your questions/suggestions as best we can, likely using the newsletter to share further information, clarification or changes with you.

AND...if you really want to stay in touch with us....

Invitation to New Committee Members

- *General Records Management* for school jurisdictions, includes maintenance of the retention schedule and other records management resources, addressing questions from the records management community, identifying topics for training/PD, etc.
- *Student Record Management*, includes working with Alberta Education (PASI), addressing questions from the records management community, providing training & advice to the community and upkeep of student record resources.
- Both groups would continue to share information via the newsletter and virtual sessions such as these Lunch & Learns/Roundtables



Join us!

We've had some turnover and are looking for new faces/energy to join our committee so we can continue the work we're doing!

We have sub groups within our committee, so members can focus on either general records management or student records. This maximizes everyone's ability to share knowledge and divides the work into manageable pieces. We tend to meet online for the majority of our work, so travel isn't necessary. We meet on an as-needed basis, generally not more than once per month, depending on what we're working on.

As a member, you will have fantastic learning opportunities, sharing and collaborating with other committee members, as well as an opportunity to assist and influence records management practices in the province.

You do not have to be an ASBOA member, although they are welcome of course!

If you think this would interest you, please reach out to Susan Lang at ASBOA, or any one of our committee members and we can put you in touch with her.



All wrapped up...questions???