



## PRIVACY POLICY

**DATE:** Adopted by the Board of Governors on April 12, 2016

### PURPOSE

Marianopolis College may collect and is entrusted with the Personal Information of its students, Employees, applicants, parents, alumni, donors, retirees and others, and is committed to best practices in the management of this information. The purpose of this Privacy Policy is to safeguard the privacy of the Personal Information of these individuals and of others whose Personal Information is in the College's custody or control, to uphold applicable privacy legislation and to provide guidelines for the collection, usage and disclosure of Personal Information.

### SCOPE

This policy applies to all Employees, Volunteers, Interns and Third Party Service Providers of Marianopolis College and The Marianopolis Millennium Foundation.

#### 1. DEFINITIONS

**Authorized Privacy Officer:** an Employee of the College to whom the Director General delegates responsibility for the implementation of privacy procedures for the College pursuant to this Privacy Policy

**Employee:** any person performing a service for the College for a wage. This includes faculty, staff, professionals, managers, contract employees and temporary workers, including student workers employed by the College

**Personal Information:** information, in written form or otherwise, that allows a person to be identified. This includes but is not limited to information about a person's identity, health, finances, professional activities, grades or educational record

**Intern:** any person performing an unpaid service for the College as a requirement of an educational program

**Third Party Service Provider:** a person or firm retained under a contract to provide services or benefits to the College. This includes but is not limited to consultants, security guards, computer hardware and software providers, cleaning services and cafeteria services

**Volunteer:** any person performing an unpaid service for the College, including Board members

## 2. POLICY

- a. **Accountability:** the Director General has the ultimate responsibility in matters of privacy and access to information at the College.

The Director General may delegate this responsibility, in whole or in part, to other Employees of the College, hereinafter referred to as Authorized Privacy Officers. This delegation must be in writing, and does not limit in any way the authority or the responsibility of the Director General.

All Employees, Volunteers, Interns and Third Party Service Providers are expected to maintain strict confidentiality of the Personal Information to which they have access.

- b. **Purpose of Collecting Information:** the College collects Personal Information required by it to:

- fulfill its mission
- carry out its operations and provide services
- to protect the College, its Employees and students
- undertake activities related to the management of an educational institution
- comply with government regulations or the law.

- c. **Obtaining Consent:** by applying to Marianopolis College, prospective and current students and Employees consent to the collection of their Personal Information for educational, administrative and statistical purposes.

The College shall only use, disclose and retain this information for the purpose for which it was collected unless the individual has otherwise consented, or when its use, disclosure or retention is required or permitted by law.

- d. **Collection of Personal Information:** the College shall limit its collection of Personal Information to that which is required for its operations, programs and services. Ideally or when possible, the College will collect Personal Information directly from the individual concerned.

In addition to collecting information for its own purposes, the College collects specific and limited Personal Information on behalf of student associations as permitted by law.

- e. **Accuracy of Personal Information and Access:** the College shall make every reasonable effort to ensure that the Personal Information which it collects, uses and discloses is accurate and complete.

Individuals have a right to request access to their own Personal Information and to request the correction of their Personal Information where necessary. Access is permitted with reasonable notice by written request to the relevant Authorized Privacy Officer. The Authorized Privacy Officer will be present when the individual views his/her file.

In certain circumstances, it may be necessary for the College to limit access by the individual to part of their Personal Information where such documents would disclose information that is the subject of legal proceedings or arbitration, confidential commercial information, information protected by privilege, third party Personal Information or if granting access would threaten the individual's safety or health.

- f. **Use of Personal Information:** the College shall not use Personal Information for purposes other than those for which it is collected, except with the consent of the person concerned, or as required or authorized by law or law enforcement or in emergency situations.
- g. **Disclosure of Personal Information:** the disclosure of Personal Information to other College Employees, Volunteers, Interns or Third Party Service Providers is permitted on a "need-to-know" basis in conformity with the purpose for which it was collected.

The College may share contact information, including names of scholarship or bursary recipients, with The Marianopolis Millennium Foundation for the purpose of raising funds on behalf of the College. Individuals may opt out of these communications at any time by contacting The Marianopolis Millennium Foundation.

The College shall not disclose Personal Information to external individuals or organizations unless:

- the individual concerned has consented to the disclosure of their Personal Information, or
- the disclosure is permitted under applicable access to information and privacy legislation or the law or required by law.

The College shall not disclose Personal Information to the Marianopolis Student Congress without the written approval of the student concerned, with the exception that the Registrar will provide a list of all students' names and ID numbers to the Student Congress for purposes of Student Congress elections as permitted by law.

- h. **Safeguarding of Personal Information:** the College will protect Personal Information by making appropriate security arrangements to prevent the unauthorized collection, access, use, disclosure or disposal of Personal Information.

Accordingly, College Employees, Volunteers, Interns and Third Party Service Providers are expected to:

- maintain files containing Personal Information in such a way that their confidentiality is protected
- use passwords or other appropriate security measures to protect and prevent unauthorized access to Personal Information
- securely shred all paper documents and manage electronic information containing Personal Information in accordance with the Records Inventory and Retention Schedule
- keep as confidential the Personal Information obtained during the process of making decisions or recommendations in matters of employment, academic affairs, admission, evaluation, discipline, and conflict of interest.

The College shall provide a copy of this Privacy Policy to Third Party Service Providers who have access to Personal Information collected by the College.

- i. **Retention and Disposal of Personal Information:** Personal Information will be retained only as long as necessary for the fulfilment of the purposes for which it was collected, and in accordance with the College's Records Inventory and Retention Schedule and applicable legal requirements or government regulations.
- j. **Breach of Privacy:** a privacy breach occurs when there is unauthorized access to or collection, use, disclosure or improper disposal of Personal Information.

Any Employee, Volunteer, Intern or Third Party Service Provider who becomes aware of a possible breach of privacy involving Personal Information in their custody or the custody of the College must immediately inform the Director General.

- k. **Questions or complaints:** questions, concerns or complaints about the College's policies and procedures concerning privacy, confidentiality and Personal Information should be addressed to the College's Authorized Privacy Officers.
- l. **Changes to the Privacy Policy:** the College regularly reviews all of its policies and procedures, and may amend this Privacy Policy from time to time. This policy was last updated on April 12, 2016.

## **APPENDIX 1: RELATED COLLEGE POLICIES AND PROCEDURES**

Admission of Students to DEC Programs  
Copyright Policy  
Employee Code of Conduct  
Institutional Policy on the Evaluation of Student Achievement (IPESA)  
Responsible Use of Information Technology  
Social Media Guidelines  
Student Code of Conduct

## **APPENDIX 2: RELEVANT LEGISLATION**

An Act respecting Access to Documents Held by Public Bodies and the Protection of Personal Information (Chapter 3, sections 53 to 102.1)  
An Act Respecting the Protection of Personal Information in the Private Sector  
An Act Respecting the Accreditation and Financing of Students' Associations  
Archives Act (Chapter A-21.1)  
Civil Code of Quebec (sections 35 to 41)  
Personal Information Protection and Electronic Documents Act (PIPEDA)  
Private Education Act (section 6)  
Quebec Charter of Human Rights and Freedoms (Chapter 1.9)  
Youth Protection Act (Chapter IV.1)

## **APPENDIX 3: AUTHORIZED PRIVACY OFFICERS**

Academic Dean  
Director, Enrolment Services and Registrar  
Director, Human Resources  
Senior Director, Finance and Administration

## APPENDIX 4: FREQUENTLY ASKED QUESTIONS

### 1. Why does the College have a Privacy Policy?

A Privacy Policy protects the privacy of your personal information that has been collected and managed by the College. It provides guidelines for the collection, use and disclosure of this personal information.

### 2. What is personal information?

Information in written or other form, that allows a person to be identified. For example, name, telephone number, address, date of birth, or educational record.

### 3. Who are the College's Authorized Privacy Officers?

Christian Corno, Academic Dean  
Régine Duboulay, Director, Enrolment Services and Registrar  
Claude Gingras, Director, Human Resources  
Joanne Gagné, Senior Director, Finance and Administration.

### 4. What type of information will Marianopolis disclose to parties outside the College?

Marianopolis will not disclose personal information to parties outside the College unless the individual concerned has consented to the disclosure or the disclosure is permitted under applicable access to information and privacy legislation or required by law. The College will also provide a copy of the Privacy Policy to third-party providers who have access to personal information.

### 5. How do I request access to personal information?

Requests must be made in writing with reasonable notice to the appropriate Authorized Privacy Officer. The request must specify the type(s) of information requested, the individual(s) or group(s) concerned and the purpose(s) for which the information will be used. According to the Office of the Privacy Commissioner of Canada (PIPEDA), organizations must respond to requests for information within 30 calendar days although there are specific circumstances that allow for more time - for example, if the request would interfere to an unreasonable degree with an organization's activities.

### 6. How are requests for information from an external party handled, e.g. a representative of the media or an officer of the law?

Immediately refer the request to the appropriate Authorized Privacy Officer.

### 7. Who should I contact regarding privacy questions or complaints?

Questions or complaints should be referred to the appropriate Authorized Privacy Officer. For employee questions or complaints, this is the Director, Human Resources. For student questions or complaints, this is the Director, Enrolment Services and Registrar.

### 8. May photographs of individuals be taken at College events and then used in College publications?

Yes. When individuals participate in a College event, there is no expectation of privacy and the College may publish photographs that provide evidence of participation at the event. When publishing photographs which feature identifiable individuals, consent must be obtained by using the College's Digital Media Release form. More information is available in the College's Social Media Policy and the Marketing Photography Policy.

## EMPLOYEES

**9. May employees collect personal information about students?**

Staff and management in Enrolment Services, Finance Office, Student Services and the Associate Academic Dean's Office may collect personal information only where it is necessary for their specific functions at the College and where it is consistent with the College's Privacy Policy. Faculty are provided with limited personal information they need for their specific functions.

**10. May employees provide references for students without consent from the student?**

Employees should not provide a reference, either written or oral, without the written consent of the student concerned.

**11. Can an employee find out if a student is still registered at the College or what their grades are?**

This information is protected. However, employees wishing to have information about a particular student regarding a concern or sensitive issue should be referred to the Associate Academic Dean or Director, Enrolment Services and Registrar.

**12. Can faculty post student grades?**

Student grades are personal and should not be posted. Graded assignments should not be left outside of faculty offices for students to pick up. Faculty should avoid writing grades on papers and exams that are returned to students in class where it can be easily seen by others. Documents containing information on student grades or assignments should be stored and disposed of appropriately.

**13. Can a faculty member discuss a student's performance in their class with another faculty member?**

Faculty should refrain from sharing personal information about students with other faculty without the student's consent. If a teacher needs to speak with another teacher about a particular situation, it would be important to not identify the student by name, or other details that could identify the student.

**14. Are employees trained to ensure confidentiality of personal data collected?**

All staff involved in the collection and or use of personal data are informed of the College's Privacy Policy and it is made available for reference on the College's public website and employee website (Launchpad).

**15. Can people see my MIOs/email, browsing history, or computer files?**

MIOs/email, browsing history and computer files are stored on College servers and can be seen by certain personnel working at the College. Content pertaining to students could be considered as part of the student's record and be subject to access to information request.

**16. What guidelines should I follow when I use the College's computers, email or MIOs?**

Email is not a secure medium and is not appropriate for transmitting sensitive personal information. Electronic files are stored on College servers which can be seen by others. It is important to be aware that information stored should be discretely handled. Employees may not disclose personal passwords or access codes for any College system and may not use another employee's access for systems or computers.

## STUDENTS

**17. How is the personal information that I provide to the College used?**

Information provided to the College is used for purposes of evaluating admission criteria to specific programs. Address information is used to notify students about upcoming important events such as placement tests, registration information, as well as mailing important College documents such as tuition invoices, admission letters and transcripts.

**18. Who has access to my personal information?**

Enrolment Services staff and Academic Advisors have access to your information for purposes of admissions, scheduling, grade changes, program changes, producing transcripts, and college and university advising. Finance Office staff have access to your information for financial information purposes. The Director, Student Services and Financial Aid Clerk have access to information to support students applying to and receiving financial aid; the Foundation receives a list of graduating students for inclusion in the alumni database.

**19. How long does the College keep my information?**

Please refer to the records retention schedule.

**20. Can my parents obtain information about my grades, attendance or other information from the College?**

Parents need the written, signed consent of students who are 18 years of age or older in order to obtain information about grades, attendance or other information. For students who are minors, age 17 or less, parents do not need written consent.

**21. Can people see my MIOs/Omnivox/Lea information?**

MIOs/Omnivox/Lea information is stored on College servers and can be seen by personnel working at the College.

**PRIVACY POLICY - APPENDIX 5**  
**Records Inventory and Retention Schedule**

Office of the Director General

Updated April 12, 2016



Record Category	Record Name	Type(s) of Information	Responsible / Primary Record	Secondary Record(s)	Retention
Administration	Privacy	Access requests and decisions	Director General		10 years
Administration	Board of Governors	Coordinates, biographical, professional	Director General		Permanent
Administration	Alumni and donors	Coordinates, biographical, professional, donations	Foundation		Permanent
Administration	Legal	Legal opinions, affidavits	Director General	Human Resources	Permanent
Administration	Payroll	Payroll records and reports, salary scales, income tax	Finance		7 years
Administration	Facility rentals	Facility rental contracts for external users	Physical Resources		While contract is active
Administration	Security camera footage	Security camera footage	Physical Resources	ITS	2 weeks from filming date, or permanent if evidentiary for legal purposes
Administration	Security reports	Incident/accident reports concerning students, employees, others	Physical Resources	Student Services	2 years for daily reports; 10 years for incident; permanent for employee accident
Administration	Student employment	Coordinates and payroll records for student personnel	Finance	Physical Resources	Permanent
Employee	Employees	Coordinates, CVs, contracts, classification, performance evaluations, insurance benefits, medical notes, leaves and absences, pension, banking, taxation	Human Resources		Permanent
Employee	Faculty	Coordinates, CVs, statements of teaching philosophy, correspondence, research grants, leaves, performance evaluations	Academic Dean		Permanent; correspondence based on relevance
Employee	Hiring	Applicant coordinates, CVs, interview info, test scores, job postings	Human Resources		2 years, or transferred to employee file if hired
Student	Academic probation	Lists of students on academic probation, letters to students, grades	Associate Academic Dean		Permanent
Student	Academic records	Grades, grade revisions, graduation info, program changes, enrolment info, transcripts, transfer records, medical notes for dispensation, medical incompletes	Enrolment Services		Permanent
Student	Accessibility	Medical/psychological assessments for learning accommodations	Associate Academic Dean	Learning Resources Centre	10 years
Student	Academic Advising	Student correspondence and requests	Associate Academic Dean		2 years
Student	Applicants	Admission inquiries, applications, registration, student communications,	Enrolment Services		2 years
Student	Counselling	Counselling and psychotherapy files, treatment plans, test scores, reports, medical records, correspondence	Student Services		Permanent
Student	Discipline	Appeals, conduct, discipline, probation, behaviour, warnings	Student Services		Permanent
Student	Emergency contacts	Emergency contacts, medical documentation	Associate Academic Dean		While current
Student	Faculty student files	Coordinates (secondary record), grades (secondary record), assignments, diagnostic language tests	Faculty		2 years from submission
Student	Financial assistance	Applications for aid, government files, scholarship and bursary information	Student Services		Permanent, 1 year for government loans/bursaries
Student	Financial accounts	Student financial accounts, payment details, debts, insurance, tuition credits, bursary recipient names with ID numbers and SIN	Finance		Permanent
Student	Grade appeals	Grade appeal records and correspondence	Associate Academic Dean	Department Chair	Permanent
Student	Music program grades	Music program grades	Enrolment Services		Permanent
Student	French assignments	French assignments	Associate Academic Dean		2 years from assignment date
Student	Medical	Medical notes and forms	Associate Academic Dean	Student Services, Physical Education	Permanent for primary record, 2 years for secondary record
Student	Mid-term assessments	Assessments for students in poor academic standing	Associate Academic Dean		2 years from assessment date
Student	International students	International students insurance documentation	Enrolment Services		Permanent
Student	Placement exams	Self-assessment language proficiency, French placement test	Enrolment Services	Department Chair	2 years
Student	Plagiarism	Case files related to student plagiarism	Associate Academic Dean		Permanent
Student	Special needs	Documentation produced prior to Fall 2013 on special needs and psychological evaluations	Associate Academic Dean		Permanent
Student	Schedules	Student class schedules	Enrolment Services, Chairs		Permanent for primary record, 2 years for secondary record
Student	Trips	Passport copies, medical, emergency contacts, waiver forms	Student Services		2 years
Student	Tutoring	Tutor and tutee details	Learning Resources Centre		2 years