

Living Sky School Division No. 202

Administrative Procedure (AP) Manual



Procedure Name: Informed Consent			
Procedure Type:	School Operations	Implementation Date:	SEP 2018
Procedure Number:	4.40	Last Approval Date:	AUG 31, 2025
AP Owner:	Privacy Officer	Last Reviewed:	AUG 31, 2025
Legal Reference(s):	<i>Local Authority Freedom of Information and Protection of Privacy Act L-27.1</i> <i>The Education Act, 1995, ss. 175, 197.2</i>		

Background

Living Sky School Division (LSKYSD) believes that information describing the activities of the division must be provided to parents/guardians, staff, students and the general public. Student and staff work, audio and video materials and images may be used in internal and external communications such as newsletters, reports, school or division websites, social media or other platforms and mediums for such sharing.

LSKYSD also recognizes that the privacy of all students and staff must be respected and be maintained as a top priority of the division in communications. To ensure this privacy is safeguarded, informed consent must be obtained.

Definitions

Public Event: this refers to a gathering of people organized for a specific purpose, open to the general public, and typically advertised beforehand. Sports tournaments would be an example of a public event in a school.

Consent categories: Informed consent forms contain several categories where consent may be given. For students this includes division use, yearbook use and external media use. For employees this includes division use, internal use only, and external media use.

Scope

This procedure applies to all staff and students in LSKYSD and their parents/guardians if under the age of eighteen (18). This procedure outlines the circumstances where informed consent is required, the procedures for obtaining the consent, the consent forms to be used and how to withdraw consent.

Procedures

In general terms informed consent means obtaining written permission to publish personal information or staff/student work. This consent must be obtained directly from a staff member, the parent/guardian of a student if they are under the age of eighteen (18) years, or directly from a student if they are eighteen (18) years of age or older.

1. Circumstances Requiring Informed Consent:

- a. Informed consent must be obtained prior to the following occurring:
 - i. the school/division showing or publishing a staff or student's personal information or work in division wide publications and/or forums;
 - ii. allowing staff or student to be photographed, interviewed or filmed by the media;
 - iii. allowing staff or student work and information to be published, reproduced, displayed or posted for school related non-profit educational purposes outside the division. This



also includes posting of staff or student work and information on LSKYSD's websites (this includes school sites).

- b. Informed consent is also required in the following circumstances:
 - i. Except at public events, informed consent is required before a member of the media may make recordings of staff or students at school (if the student is identifiable) or of the student's work. The principal, school designate or PR/advancement specialist is responsible for ensuring the consent is obtained.
 - ii. When an outside organization or business, other than mass media, has received permission from the division to make recordings of students or staff during the school day, the outside organization or business shall provide the permission/release forms, which will be distributed and/or sent home with a cover letter from the principal outlining the proposed project. The principal will allow only those staff and students with the signed release forms to be recorded for the project.

2. Implied Consent at Public Events

- a. Persons attending or participating in public events accept a lower standard of privacy. In instances where students, parents/guardians, or staff attend public events, informed consent is implied through the act of attendance.
- b. Recordings made by LSKYSD staff of persons attending public events does not require separate consent, and such recordings are not subject to the informed consent provided or withheld through the *4.40A Informed Consent Form – Students* or *4.40B Informed Consent Form – Employee*. Recordings made by third parties, including by members of the media and members of the general public, are likewise not subject to informed consent.
- c. Events where LSKYSD elects to stream or record video or audio for broadcast to the general public are considered public events for the purposes of informed consent.
- d. LSKYSD staff will make every effort to inform students, parents/guardians, and staff in advance that an event will be streamed or recorded, providing individuals advanced notice so they may choose whether to attend or not attend the public event.

3. Obtaining Informed Consent

The following procedures shall be used to obtain informed consent.

a. Students

- i. The form to be used is:
 - o *4.40A Informed Consent Form –Students*
 - A Parent/Guardian must complete the form for students under the age of eighteen (18) years of age
- ii. The Principal or school designate shall:
 - o forward the *Informed Consent* form to parents/guardians and adult students at the beginning of each school year and as new students enroll during the year;
 - Consent forms only need to be signed once and will be kept on file for as long as the student attends that specific school. New consent forms will be required upon attending a new school or for changing/withdrawing consent.
 - o file all signed consent forms in each student's cumulative file, in a binder or other appropriate location; and,



- ensure that an up-to-date exclusion list is available identifying students who do not have signed consent form for each of the consent categories.

b. Employees

- i. The form to be used is:
 - *4.40B Informed Consent Form - Employee*
- ii. The PR/advancement specialist, Principal or designate shall:
 - have new employees fill out the above mentioned consent form;
 - ensure all consent forms are filed appropriately:
 - Central services staff consent forms are to be submitted and kept by the PR/advancement specialist
 - School staff consent forms are to be submitted and kept by the school office; and
 - ensure that that an up-to-date exclusion list is available identifying staff who do not have a signed consent form for each of the consent categories.

4. Withdrawing or Making Change to Consent

Staff, students, or the parent/guardian of a student may withdraw or make changes to consent preferences at anytime by submitting a new consent form to the correct contact as outlined above with their updated consent preferences.

Appendices

4.40A Informed Consent Form – Student

4.40B Informed Consent Form – Employee

Related

3.08 Media Relations