School District No. 46
(Sunshine Coast)
A COMMUNITY ENGAGED IN LIFELONG LEARNING
AND EDUCATIONAL EXCELLENCE

BOARD OF EDUCATION

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January 8, 2016

Special Committee to Review the *Freedom of Information and Protection of Privacy Act*
PO Box 9055, Stn Prov Government
Victoria, BC V8W 9E2

Dear Special Committee Members:

RE: Submission to the Special Committee to Review the *Freedom of Information and Protection of Privacy Act*

At the Public Board meeting for School District No. 46 (Sunshine Coast) taking place on December 8, 2015, the board passed a motion to provide feedback to the Special Committee regarding restrictions in the *Freedom of Information and Protection of Privacy Act (FOIPPA).*

Our Board believes strongly in both open and transparent government as well as the protection of individual privacy. While the current legislation does accomplishes both of these very well, consideration should be given to the cost of overly restrictive clauses in the *Act* which attempt to eliminate all risks, no matter how remote their probability.

It is our limited understanding that prohibitive restrictions in the *Act* regarding the export of personal information severely limit access to current technologies that are useful to both students and staff. Both staff and students are often unaware of FOIPPAs anti-export restrictions and unknowingly place themselves in defiance of the *Act* by using readily available cloud based services. At other times, the compliance restrictions prevent districts' access to affordable technology solutions when data is stored outside of Canada. While the district is aware that consent documents are available in certain situations, the process is cumbersome and often difficult to navigate.

We recognize that the storage of data by staff and students to enhance the student learning environment is inherently different from the storage of enrollment data collected by schools. We suggest that you consider both these situations differently and offer flexibility depending on the purpose of the data and whether or not it is created or modified as a part of the student learning experience.

We request that the Special Committee review the requirements of the *Freedom of Information and Protection of Privacy Act (FOIPPA)* with these views in mind.

Thank you for your consideration.

Sincerely,

Betty Baxter
Board Chair

p.c.: Board of Education of School District No. 46 (Sunshine Coast)
Patrick Bocking, Superintendent
Nicholas Weswick, Secretary-Treasurer