

Privacy Policy Statement

Canadian Online High School
14 Sharon Place, Guelph, ON N1H7V2

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Introduction

1. Canadian Online High School (COHS) is a
2. This Privacy Policy Statement (the “Privacy Policy”) contains the policies, procedures and practices to be followed by Canadian Online High School (“COHS) and any of its present or future subsidiaries and/or Partners (the “Company”) pertaining to the collection, use and disclosure of personal information (the “Personal Information”) of an identifiable person (the “Individual”) that is a present, future or former student, parent/legal guardian, employee, and owner of the Company.
3. As a Private High School, inspected by the Ontario Ministry of Education (Min of Ed: MOE), Private Schools Division, COHS is also subject to the following Acts and Documents:
 - a) the current Education Act of Ontario, Revised Statutes of Ontario (R.S.O.), 1990 and the Privacy Policies and Procedures of the Ontario Ministry of Education
 - b) The Ontario Student Record Folder (OSR) is subject to the Ontario Student Record Guideline, 2000.
 - c) Personal Information Protection and Electronic Documents Act current to 2017-01-17 and last amended on 2015-06-23
 - d) Freedom of Information and Protection of Privacy Act, R.S.O., 1990
 - e) Municipal Freedom of Information and Protection of Privacy Act, R.S.O., 1990
 - f) Age of Majority and Accountability Act R.S.O., 1990. The Legal Age for Consent under this Privacy Policy in Ontario is 18 years of age, provided the Individual is of sound mind and capable to act on behalf of him/herself without duress.
 - g) The current Terms of Use of Desire2Learn, Learning Management System (LMS), namely “Brightspace”.
4. Personal Information Protection and Electronic Documents Act

The staff, management, referral agents, business partners, and learning centres associated with COHS is committed to respecting the personal privacy of individuals we deal with, both for those we serve in education and for those we partner with in business.

COHS will comply with (i) Personal Information Protection and Electronic Documents Act (PIPEDA), a federally enacted act which protects personal information that is collected, used or disclosed; (ii) Collection Agencies Act, which dictates how we are to perform our services, collection and use of personal information and any future provincial legislation as it relates to the rights of consumers. For the purposes of this policy, personal information means information about an identifiable individual and a Company's or Partnership's personal staff information. It does not pertain to a Company's or a Partner's Business Information. Privacy of business information may be covered in the Non-Disclosure (NDA) and the Partnership Agreement signed between COHS and the Business Partner. Any reference to a Consumer which is the Student within this policy is in reference to personal information and not business information.

Documents sent, delivered and received in an Electronic or Digital Version will be treated by COHS as if in its original state. Due diligence is required to ensure that the Electronic or Digital Version is in fact as if an original. Not all companies, businesses, schools and school Boards have this policy. Some require the Original or "Hard Copy" or the "Original" document/folder/material. COHS will comply with such requests and it may require a user fee that is not inhibitive and that is compliant with current legislation.

The Canadian Standards Association Mode Code ("code") for the protection of personal information is a national standard that was developed by the Canadian Standards Association. The Code is the central part of PIPEDA. The purpose of COHS communication The Code's ten privacy principles are identified in PIPEDA as follows:

- a) **Accountability:** organizations are accountable for the personal information they collect, use, retain and disclose in the course of their commercial activities, including, but not limited to, the appointment of a Chief Privacy Officer;
- b) **Identifying Purposes:** organizations are to explain the purposes for which the information is being used at the time of collection and can only be used for those purposes;
- c) **Consent:** organizations must obtain an Individual's express or implied consent when they collect, use, or disclose the individual's personal information;
- d) **Limiting Collection:** the collection of personal information must be limited to only the amount and type that is reasonably necessary for the identified purposes;
- e) **Limiting Use, Disclosure and Retention:** personal information must be used for only the identified purposes, and must not be disclosed to third parties unless the Individual consents to the alternative use or disclosure;
- f) **Accuracy:** organizations are required to keep personal information in active files accurate and up-to-date;
- g) **Safeguards:** organizations are to use physical, organizational, and technological safeguards to protect personal information from unauthorized access or disclosure.

- h) Openness: organizations must inform their clients and train their employees about their privacy policies and procedures;
 - i) Individual Access: an individual has a right to access personal information held by an organization and to challenge its accuracy if need be; and
5. Provide Recourse: organizations are to inform clients and employees of how to bring a request for access, or complaint, to the Chief Privacy Officer or the appropriate officer, in COHS the Principal, and respond promptly to a request or complaint by the individual.
 6. This Privacy Policy applies to COHS' Owners, Administrators, employees, contracted employees, partners, referral agencies and agents, and schools/School Boards associated with COHS for the purpose of receiving the educational services provided by COHS. As well, COHS ensures that all third party service providers sign NDA and/or Confidentiality and/or Partnership Agreements prior to any transfer of an individuals personal information in the course of providing the COHS information and/or services.
 7. COHS recognizes the confidential nature of the Personal Information in its care and is accountable for the compliance of itself and its directors, officers, management, employees, representatives and agents including consultants and independent contractors (the "Staff") in protecting this Personal Information.
 8. For the purpose of this Privacy Policy, the term "Personal Information" has the meaning of any information or collection of information in any form, whether oral, electronic or written that pertains to the Individual excluding information that is publicly available in its entirety. Personal Information will also include any publicly available information that is combined with non-publicly available information.
 9. Personal Information includes but is not limited to name; home address; home phone number; home email address; identity verification information; Social Insurance Number; parent/legal guardian contact information; physical description; age; gender; salary; education; professional designation; personal hobbies and activities; medical history; employment history; financial credit history; contents of resume; references; interview notes; performance review notes; emergency contact information.
 10. For COHS, Personal Information includes the Individual's name, address and contact information when used or disclosed for the purposes of reasonable business/educational communication. This includes all personal, familial, medical, and educational information in the Ontario Student Records folder, its addendum folder and contents, the Ontario Student Transcript (OST), the office Home Contact file, the Registration Form, and the official photo identification such as a Driver license or current passport.
 11. COHS will implement policies and procedures of the Ontario Ministry of Education that give effect to this Privacy Policy including procedures to protect and secure Personal Information, procedures to receive, investigate and resolve complaints, procedures to ensure adequate training of the Staff concerning the Company's privacy policies, and procedures to distribute new and current information pertaining to the Company's Privacy Policy.

Corporate Privacy Policy

12. COHS, its Staff and affiliate partners in education will at all times respect the confidentiality of the Personal Information placed in its care. The Company will endeavor to ensure that the policies affecting the collection, storage and disclosure of Personal Information reflect the confidential nature of the information.
13. COHS will comply with all applicable privacy legislation and regulations in force now and in the future related to protecting the confidentiality of Personal Information.

Purposes for which Personal Information is Collected

14. Personal Information will be collected, used and disclosed for purposes pertaining to the Individual's academic relationship with COHS, including but not limited to the administration of student performance reviews, the administration of student report cards, processing of student report cards, and for the purpose of complying with all applicable Ontario Ministry of Education legislation.
15. The purposes for collecting Personal Information will be documented by COHS and kept in the OSR for educational purposes and connections only. Personal Information will only be used for the stated purpose or purposes for which it was originally collected. The purposes for which Personal Information is being collected will be identified orally or in writing to the Individual before it is collected. The person collecting the information will be able to explain the purpose at the time that the information is collected.
16. COHS may use Personal Information for a purpose other than the originally stated purpose where the new purpose is required by law or where the Company has obtained consent in writing from the affected Individual for each new purpose.

Knowledge and Consent

17. Knowledge and consent is required from the affected Individual for the collection, use and disclosure of all Personal Information subject to exceptions noted elsewhere in the Privacy Policy statement.
18. Consent will not be obtained through deception or misrepresentation.
19. Any use or disclosure of Personal Information will be within the reasonable expectations of the Individual.
20. Subject to legal and contractual obligations, an Individual may withdraw their consent for use and disclosure of their personal and academic information on reasonable notice.

Legislation and Regulation

21. Where the COHS has Individuals living and working in different jurisdictions, the specific rights and obligations of Individuals will not vary between jurisdictions and the Legislation and Regulation under which COHS is authorized to use and distribute this

Personal Information will also be the Legislation and Regulation for all of COHS' Referral Agents, Agencies, Partners or affiliates.

22. COHS is subject to the privacy legislation in all jurisdictions in which the Company operates because it is the only SCHOOL under which all students receive its Educational Service. Students who register with COHS from all locations across the Globe are subject to the Legislation and Regulation under which COHS falls in Ontario, Canada. If any term, covenant, condition or provision of this Privacy Policy is held by a court of competent jurisdiction to be invalid, void or unenforceable, it is the intent of this Privacy Policy that the scope of the rights and obligations of the Privacy Policy be reduced only for the affected jurisdiction and only to the extent deemed necessary under the laws of the local jurisdiction to render the provision reasonable and enforceable and the remainder of the provisions of the Privacy Policy statement will in no way be affected, impaired or invalidated as a result.
23. Where this Privacy Policy provides greater rights and protections to the Individual than the available governing law, the terms of this Privacy Policy will prevail wherever allowed by law.

Scope and Application

24. The rights and obligations described in this Privacy Policy will apply to all Individuals. COHS, its Staff, students, Agents, Agencies, Partners and affiliates must comply with the policies, procedures and practices described in the Privacy Policy.

Collection of Personal Information

25. The type and amount of Personal Information collected by COHS will be limited to the minimum necessary to accomplish reasonable educational business purposes. Personal Information will not be collected maliciously, indiscriminately or without a reasonable educational purpose.
26. Personal Information will be collected using fair and lawful means.

Access by Authorized Company Representatives

27. All Personal Information will be released internally only on a need-to-know basis and based on the legislated Right of Access. In the course of normal and reasonable business practices it is the policy of COHS to grant designated COHS representatives access to Personal Information files. This access will not exceed that necessary to accomplish the specific business function of COHS representative nor the purpose for which the information was originally collected.

Accuracy of Personal Information

28. COHS will endeavor to ensure that all Personal Information collected is accurate and validated using reasonable business practices and procedures. COHS is also committed to

ensuring that the Personal Information remains accurate for the purpose for which it was collected.

Rights of Access and Correction

29. COHS will make reasonable efforts to ensure that Personal Information is at all times complete, accurate, and appropriate for the intended and stated purpose.
30. An Individual may apply for access to their Personal Information by submitting a request in writing along with adequate proof of identity to an authorized COHS personnel officer authorized to have access to this Personal Information. Where the application is made in person the requirement for proof of identity will be at the discretion of the COHS personnel officer. The Individual will be provided with a copy of all available information that is not subject to restriction as described in this Privacy Policy. All Personal Information will be provided at either no cost or at a minimal cost that is not prohibitive and that is stated publicly by COHS (Fee Structure).
31. COHS will also provide a record of how the Personal Information has been used and to whom it has been disclosed. Where a detailed account of disclosure is not available, the Company will provide a list of organizations to which the Personal Information may have been disclosed. This summary can be in the electronic or digital form (e.g. email).
32. The Personal Information disclosed to an Individual must be in a form that is reasonable and understandable. Where the meaning of information is not clear then translations and explanations will be provided without additional cost to COHS. It may require that the Individual may be charged a fee that is not prohibitive.
33. Where an Individual suspects that an error exists in their Personal Information, the Individual may submit a request in writing (which can include electronic email) to the appropriate COHS staff member for correction. This request should include any relevant information substantiating the error and should describe the correction to be made. COHS will make all reasonable efforts to address any request for correction.
34. Where the Individual successfully demonstrates an error in their Personal Information, COHS will make appropriate corrections. Any modifications, additions or deletions to the Individual's Personal Information will be made only by an authorized personnel officer.
35. Where a request for correction is not successful, the details and substantiating evidence of the request will be recorded and retained by COHS.
36. COHS will endeavor to respond promptly to any reasonable request for disclosure and correction made by an Individual to ensure the continued accuracy of Personal Information.
37. In some instances, COHS may be required to limit access to Personal Information because of statutory or regulatory requirements such as Access to the OSR. In all instances however COHS will make all reasonable efforts to comply with the Individual's request for access and correction to the extent of what is allowed by statute or regulation.

38. COHS may refuse access to portions of the Personal Information of an Individual where it is found to contain Personal Information pertaining to another Individual.

Use and Disclosure of Personal Information

39. Any and all information Collected by COHS by mail, courier, or in digital format and email, is owned by COHS Inc. and will not be sold or rented or released in any form to any 3rd parties.
40. COHS and the Staff will keep confidential all Personal Information in its control except where one or more of the following conditions apply:
- a. where the Individual who is the subject of disclosure has provided written consent;
 - b. where the disclosure is in accord with the purposes for which the Personal Information was originally collected;
 - c. where the disclosure is for the purpose of providing educational or employment references to prospective post-secondary institutions or employers and where the Personal Information disclosed is limited to information considered reasonably necessary for the purpose of providing those references;
 - d. where COHS is permitted or required to do so by applicable legislation or regulation such as criminal legislation;
 - e. where the disclosure is directed to health benefit providers and where the purpose of the disclosure is in accord with the purposes for which the Personal Information was originally collected;
 - f. where the disclosure is required by authorized government representatives who are acting to enforce any federal, provincial or territorial law or carrying out an investigation relating to the enforcement of any federal, provincial or territorial law or gathering information for the purpose of enforcing any federal, provincial or territorial law;
 - g. where COHS is required to comply with valid court orders, warrants or subpoenas or other valid legal processes and
 - h. in an emergency to protect the physical safety of any person or group of persons.

Disclosure Log

41. COHS will take reasonable care to maintain a disclosure transaction log that accurately records all use, corrections, additions, deletions and disclosures including the names of all parties enabling the transaction. Where the Personal Information of the Individual is disclosed to any person or organization, the name of the person or organization to which the Personal Information is disclosed will be recorded along with a reasonably thorough description of the purpose of the disclosure.

Ownership of Personal Information

42. All Personal Information collected by COHS in compliance with this Privacy Policy are business and/or educational records of COHS and as such will remain the property of COHS. COHS has the right to retain all Personal Information collected subject to the retention limits described in this Privacy Policy.

Retention and Disposal of Personal Information

43. Any Personal Information collected by COHS will be retained and/or disposed of by COHS during the period as described and required by the current Education Act of Ontario, Revised Statutes of Ontario (R.S.O.), 1990 and the Ontario Student Record Folder (OSR) as subject to the Ontario Student Record Guideline, 2000.
44. Personal Information held by COHS that is no longer needed for its stated purpose will be filed, destroyed, and/or erased as per Ontario Ministry of Education Policies and Procedures.
45. If COHS ceases to exist, all Personal Information will be submitted to the proper Ministry of Education centre and retained or disposed of there as per the current Education Act of Ontario, Revised Statutes of Ontario (R.S.O.), 1990 and the Ontario Student Record Folder (OSR) as subject to the Ontario Student Record Guideline, 2000.
46. COHS will ensure that all practices and procedures relating to the retention and/or disposal of Personal Information will respect the fundamental policy of confidentiality. All Personal Information filing, retention, and/or disposal procedures, including the retention/disposal of computerized data storage devices, will ensure the complete retention/disposal of Personal Information so that there will be no risk of subsequent unauthorized disclosure of Personal Information.

Deceased Individuals

47. The rights and protections of the Company's Privacy Policies will extend to deceased Individuals.

Security

48. COHS will take and enforce all reasonable security measures appropriate for the sensitivity of the information to ensure that all Personal Information for every Individual is protected against any form of unauthorized use including but not limited to accidental or malicious disclosure, unauthorized access, unauthorized modification, unauthorized duplication or theft.
49. COHS entered into an Agreement to have D2L's Brightspace, the Learning Management System, (LMS) provide the LMS in which all of the COHS Credit/Course content is located. It is also the LMS in which confidential and educational information is shared. As a result, all COHS users of D2L's Brightspace must agree to the Terms of Use of

Brightspace and in so doing, must comply with the Privacy Policy associated with D2L's service.

50. All administration, teaching and support staff will be appropriately screened when hired. All teaching staff will be professionally qualified and subject to the professional code of conduct of that association. Most of COHS staff are current members of the Ontario College of Teachers (OCT) or equivalent. Staff must also undergo a current Police security check appropriate for the school education workplace, both personally and online, that is renewed to be current as deemed necessary.
51. Methods of security will include but not be limited to the following:
 - a. physical security including locked filing cabinets and secure-access offices;
 - b. organizational security including security clearances and access limited on a "need-to-know" basis and
 - c. technological security including passwords and encryption.
52. COHS will educate and inform all Staff and affiliate Partners, Schools, Learning Centres and individuals regarding the Privacy Policy and related procedures and on the importance of confidentiality of Personal Information and will monitor compliance with the Privacy Policy and may observe and investigate the information management practices of all Staff having care of Personal Information.

Knowledge of Unauthorized Disclosure

53. Responsibility for the security of Personal Information is a responsibility that COHS holds in very serious regard. Any Staff and/or affiliate business, school, learning center or individual having knowledge of an impending unauthorized disclosure, whether intentional or unintentional, and who fail to act to prevent the unauthorized breach will be subject to sanction as described in the Enforcement section of this document including the immediate disciplinary measure of the offending entity.

Enforcement

54. All COHS Staff having care over Personal Information must comply with the policies, procedures and practices described in the Privacy Policy. Any breach of any term or condition of this Privacy Policy, whether intentional or unintentional, including but not limited to the unauthorized disclosure of Personal Information, is grounds for disciplinary action up to and including the immediate dismissal of any and all responsible staff. Any breach of any term or condition of this Privacy Policy, whether intentional or unintentional, is grounds for dismissal with cause.

Compliance with Privacy Policy

55. COHS will have a procedure that will allow Individuals to challenge COHS' compliance with this Privacy Policy. This procedure begins with a written notice to the Principal or

designate administrator or owner(s) of such a challenge with evidence to support that challenge. COHS will also have procedures, namely a response in writing, to promptly respond to the individual's Privacy Policy compliance challenges.

56. COHS will make all reasonable efforts to investigate and respond to compliance challenges relating to this Privacy Policy. Where a challenge is well founded, COHS will take action to correct any outstanding problems up to and including amending the Privacy Policy and related procedures.

Additional Terms

57. Personal Information: defined as any information in print, video, photo in either material or digital on an individual. Personal information may be used to contact the individual and the more information volunteered, the better COHS can offer support via various forms of communication.
58. Group information: defined as any information in print, video, photo in either material or digital on more than one individual such as a club, learning centre, school or association.
59. Contractual Information: Any information required to enter into an agreement with COHS. Upon payment for a credit, a student/parent via the Student Agreement received (even if not signed) are under agreement with the Privacy Policy of COHS.
60. Teacher: Teacher is by contract also identified as Independent Contractor and is a professionally qualified person who is familiar with the Ontario Education System. COHS staff is mainly qualified via the Ontario College of Teachers (OCT).
61. Student: A person who has qualified to enter into an agreement with COHS to register for any course(-s) and/o program(-s) COHS offers.
62. Staff: This term includes non-teaching and teaching staff of COHS, current and past. This means that former staff are still bound to the Privacy Policy of COHS.
63. These policies and procedures of Privacy also apply to any staff of a Partner, Affiliate Business, Partner School, Partner Learning Center, Partner Home Study location where there may be Tutors, Educational Assistance, Peer Helpers and Social/Medical/Personal Advisors and/or caregivers of the Students taking COHS courses and/or programs. This is indicated on any contract signed as well as via information provided to such non-COHS person(s), agencies or affiliates.
64. Storage: Storage or filing of the documents requested and submitted will be kept in a confidential and secure location. The material shall remain confidential and its use is as per the (PIPEDA) or The Personal Information Protection and Electronic Documents Act of Canada or as per the Ontario Ministry of Education. When under the MOE, student materials must be contained within a private, personal file but may be within an Ontario Student Record as per Policies and Procedures.

65. File: Information to be stored will be paper and/or e filed in a secure manner within the Administration e files and may be accessed at any time by the teacher or employee for the purpose of updating, replacing, removing or acquiring such documentation.
66. Access: The information may be accessed by those who require access to such information such as members of the COHS administration and members of the Ministry of Education of Ontario for the purpose of Inspection as deemed appropriate and with the permission of the Administration. It may also be released as per the Laws of the land as deemed appropriate and lawful.
67. D2L: Desire2Learn, Learning Management System (LMS), namely “Brightspace” is the LMS used by COHS and has its own “User Agreement” that all COHS students have access to and agree to in receiving, completing and submitting the Student Agreement Form at Registration.
68. "Application or Registration" means the application form or related forms completed by the individual(s) to request registration, enrollment, information offered by COHS.
69. "Data base" means the list of names, addresses and telephone numbers of clients, students, partners, parents and individuals held by COHS in the forms of, but not limited to, computer files, paper files, and files on computer hard-drives. The Ontario Student Folder or OSR is to be created, stored, maintained and handled according to the Ontario Ministry of Education's Policy document:
<http://edu.gov.on.ca/eng/document/curricul/osr/osr.html>
70. "File" means the information collected in the course of processing a COHS application/registration, as well as information collected/updated to maintain /service the student's account. This also includes the login username and password to access the "account" or LMS. It also pertains to the data location, whether hard copy or digital. The Ontario Student Folder or OSR is to be created, stored, maintained and handled according to the Ontario Ministry of Education's Policy document:
<http://edu.gov.on.ca/eng/document/curricul/osr/osr.html>
71. Other data bases and files kept by COHS as a private school may not pertain to education or to students in which case the forms, files, contracts, agreements, data and other information will be stored in an organized manner and subject to the Privacy Policies of COHS as a private business.