



June 19, 2009

Jennifer Jamieson  
Legal Counsel and Coordinator Legal Services  
BC Public School Employer's Association  
400-1333 W. Broadway  
Vancouver, BC V6H 4C1

Dear Jennifer Jamieson:

**Re: Breach Notification;  
OIPC File F09-38356**

On May 13, 2009, the Vancouver Sun newspaper reported that the British Columbia Teacher's Federation ("BCTF") instructed teachers to gather personal information about their students' support requirements. BCTF representatives collected this information from the teachers. The intent of this initiative was to address what the BCTF felt was a lack of resources available for student support needs. The article published a response from the British Columbia School Employers' Association ("BCSEA") who warned BCTF they might be in violation of the privacy laws.

On May 15, 2009, the Information & Privacy Commissioner of British Columbia launched an investigation to determine if the BCTF was authorized to collect student personal information under the *Personal Information Protection Act* ("PIPA"). In accordance with s. 43 of PIPA, the Commissioner delegated the authority to me, under s. 36 of PIPA, to investigate this allegation.

The BCTF staff representatives were collecting, from teachers, information about their students' specialized support needs. The information consisted of the student's name and their associated support requirement. I examined whether BCTF was authorized under s. 6 of PIPA to collect student personal information. I have found they do not have the authority under PIPA and I have recommended that BCTF immediately stop collecting this information.

It has come to my attention that BCTF staff representatives forwarded this information to school administrators, in particular to the school principals. BCTF staff representatives do not have the authority under PIPA to collect this information. From this point on principals should not accept this information from BCTF staff representatives. Could you please notify school administrators in your district of this finding and my recommendation?

If you have any questions about this letter, please call me at (250) 356-0791 or contact me by email at [tmots@oipc.bc.ca](mailto:tmots@oipc.bc.ca).

Sincerely,

Tim Mots  
Portfolio Officer

cc. Superintendents in all BC School Districts