Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

ORDER MO-2250

Appeal MA06-247

Peel District School Board

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NATURE OF THE APPEAL:

The requester, on behalf of her son, made the following seven part request under the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) to the Peel District School Board (the Board) for:

1. Individual Education Plans (IEP)
2. All pages 1-16 possibly more of Student Profile
3. Corrections to [be made to] IEP and Student Profile
4. [Named student's] learning log for ISA–1 (laptop software technology)
5. All Peel District School Board's needs statements, emails, reports, documents, assessments, policy, process, timelines to gain the support of the school social worker
6. Minutes from all Identification Placement Review Committee (IPRC) [meetings]
7. ISA-1 Board Policy for laptop technology coming home with student

The Board responded to each part of the request as follows:

1. There is a 4 page IEP available dated January 20, 2006. However, the Board noted that because the requester stated in earlier correspondence that she did not want another copy of the IEP she provided to the Board, no copy was provided.
2. The student profile is available however, there were only 6 pages. The Board explained that the page numbering on prior copies was incorrect.
3. The request for correction was denied as no such amended version of the IEP exists.
4. A 5 page learning log was available, in addition to a 1 page laptop sign-out chart.
5. Several documents outlining the process for accessing social work support, comprising 33 pages were available.
6. The minutes of the IPRC dated April 11, 2006, comprising 2 pages, was available.
7. A 1 page explanation of the Board's practise regarding ISA 1 Equipment was available.

The Board further advised that a fee of $9.60 applied to the photocopying of the records.

The requester (now the appellant) appealed the decision of the Board to this office because she maintains that additional records exist. In addition, the appellant appealed the denial of her correction request and the $9.60 fee.

During the course of mediation, the appellant indicated that she was no longer appealing the fee. Accordingly, the fee is no longer an issue in this appeal. During mediation, the Board provided the appellant with additional documents (some of which post-dated the request). As a result, the IPRC notes that the appellant requested during mediation are no longer in issue.

At the end of mediation, the appellant continued to maintain that additional records should exist and that additional information needed to be corrected.

Because mediation did not resolve the issues in this appeal, it was transferred to the adjudication stage of the appeal process. I sought and received representations from the Board, initially.

A Notice of Inquiry was then sent to the appellant along with a complete copy of the Board's representations. The appellant provided representations.

DISCUSSION:

PERSON LESS THAN SIXTEEN YEARS OF AGE

Section 54(c) states:

> Any right or power conferred on an individual by this Act may be exercised,
>
> > if the individual is less than sixteen years of age, by a person who has lawful custody of the individual;

Under this section, a requester can exercise another individual's right of access under the *Act* if he/she can demonstrate that

- the individual is less than sixteen years of age; and
- the requester has lawful custody of the individual.

If the requester meets the requirements of this section, then he/she is entitled to have the same access to the personal information of the individual as the individual would have. The request for access to the personal information of the individual will be treated as though the request came from the individual him or herself [Order MO-1535].

It is not in dispute that the appellants' son was less than sixteen years of age at the time of the request and that the appellant has custody of him.

I find that section 54(c) applies and I will treat the request for access and correction request as if it came from the appellant's son himself.

SEARCH FOR RESPONSIVE RECORDS

Where an appellant claims that additional records exist beyond those identified by the institution, the issue to be decided is whether the institution has conducted a reasonable search for records as required by section 17 [Orders P-85, P-221, PO-1954-I]. If I am satisfied that the search carried out was reasonable in the circumstances, I will uphold the institution's decision. If I am not satisfied, I may order further searches.

The *Act* does not require the institution to prove with absolute certainty that further records do not exist. However, the institution must provide sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records [Order P-624].

A reasonable search is one in which an experienced employee expending reasonable effort conducts a search to identify any records that are reasonably related to the request (see Order M-909).

Although the appellant will rarely be in a position to indicate precisely which records the institution has not identified, the appellant still must provide a reasonable basis for concluding that such records exist.

Representations

The appellant maintains that the following records should exist:

1. Additional IEP's, and learning logs,
2. Additional information relating to social work support including notes/outcomes of the school social worker and the chief social worker,
3. Follow up records of [a named individual's] attendance at May 2005 IPRC meeting
4. Follow up records from consent forms signed June 2005 for assessments
5. Follow up records from emails sent to [named individuals], and
6. Student profile notes, informal assessment notes and ongoing assessment notes

In support of her position that further records should exist, the appellant submits that under the *Education Act*, the Board is required to have additional IEP's and records regarding her son. The appellant provided a copy of a decision of the Ontario Special Education (English) Tribunal as evidence of the Board's obligations relating to her son.

The Board submits it was not informed of items 4 through 6 above in the appellant's list of additional records until it received the Mediator's Report. The Board maintains it conducted searches in response to the appellant's initial request for information and during mediation. Following its initial search for records, the Board provided records to the appellant. As part of the mediation process, the Board conducted additional searches and provided additional records to the appellant.

In support of its position that its search for responsive records was reasonable, the Board provided an affidavit of the Freedom of Information Co-ordinator for the Board. The Board however summarized its search as follows:

> [FOI Co-ordinator] contacted [the] Principal of [named school], the School the Appellant's son attends and about whom the records that the Appellant seeks are about.
>
> [The Principal] is responsible for the management of the School including School staff members and the educational programs provided at the School. As part of the Principal's duties with respect to educational programs, the Principal is responsible for referrals to the Identification and Placement Review Committee [Ont. Reg. 181/98 s.14], the development of Individual Education Plans [Ont. Reg. 181/98, s.6], the maintenance of the Ontario Student Record [*Education Act*, R.S.O. 1990, c.E-2, s.266], information inputted into the Board's electronic Student Information System, which includes Student Profiles for the School's

> students, and educational accommodations such as student learning logs and ISA-1 grant equipment.
>
> [The Principal] assigned the duty of searching for the records and reviewing the requests for corrections to the Department Head of Special Education, who is also directly involved with the implementation and monitoring of [the appellant son's] special education program.
>
> [The FOI Co-ordinator] also contacted [the] Superintendent of Special Education Support Services [*Education Act*, R.S.O. 1990, c.E-2, s.286], who is responsible for the supervision of special education programs and services, including social work support services and ISA-1 grant equipment, throughout the Board. [The Superintendent] directed staff to search for documents responsive to the Appellant's request for records related to social work support and ISA-1 equipment.

The Board also addressed each of the six items identified by the appellant as follows:

1) Additional IEP's and learning logs.

All IEP's relating to the appellant's son have been provided to her. The IEP's are produced electronically using a specific computer program. IEP's, in draft form, are sometimes provided to parents for their comment. Following consultation with the parents, the IEP may be amended. Changes to the IEP's are not saved individually, as the IEP drafts are overwritten by the computer. Only draft copies which were printed would remain as records.

In response to the initial request, it conducted a search for the current copy of the IEP for the appellant's son, and also any draft copies that may have been printed and not already provided to the appellant. Only one draft copy of the IEP was located and provided to the appellant. This is the IEP dated October 12, 2005 which was amended to become the January 2006 IEP.

During mediation, the Board did make an additional search for other IEP's and as a new IEP had been created after the date of the initial request; this IEP was provided to the appellant. This is the IEP dated October 25, 2006.

Learning logs are documents that the appellant's son's school attempted to use to help the appellant's son with his homework. The Board conducted a search with the Department Head of Special Education for the school and all copies of learning logs were provided to the appellant. The Board explains that there are no further learning logs relating to the ISA 1 equipment as the appellant's son was reluctant to use the equipment and thus no learning logs were generated.

2) Additional information relating to social work support including notes / outcomes of the school social worker and the chief social worker.

All the records relating to social work support have been provided to the appellant.

The Chief Social Worker and the School Social Worker both conducted searches for records and no records were located. The Board states that as social work services were never provided to the appellant's son, there can be no notes or outcomes of the School Social Worker or the Chief Social Worker.

3) Follow-up records of [named individual's] attendance at the May 2005 IPRC meeting.

The May 2005 IPRC meeting was held by the Dufferin-Peel Catholic District School Board and, as a result, the Board did not do any "follow up" because the Board had no responsibilities from the IPRC meeting.

The named individual attended that meeting because it was anticipated that the appellant's son would be transferring to a Board secondary school. A copy of the notes made by this individual was disclosed to the appellant during mediation.

The Board maintains that the following requests are new requests made by the appellant after mediation.

4) Follow-up records from consent forms signed June 2005 for assessments.

The Board submits that the consent that the appellant signed in June 2005 was not for the performance of a psychological assessment but rather for the purpose of permitting psychology staff to have access to the appellant's son's Ontario Student Record and any formal assessment information contained therein. Thus, the Board argues, no assessment took place and there are no follow up records from the consent form.

5) Follow-up records from emails sent to [the Principal], [the Superintendent], [named individual] and [named individual].

The Board states that clarification would be needed before the Board could respond, if I make the finding that this request forms part of the appellant's initial request.

6) Student profile notes, informal assessment notes and ongoing assessment notes.

The Board submits that it would require clarification from the appellant in order to conduct a search for responsive records.

As stated above, the Board provided an affidavit of the Freedom of Information Co-ordinator for the Board which provides further details of the searches undertaken. The Board's representations also include emails between the Co-ordinator and the Principal and various

individuals at the school informing individuals of the request and the need to conduct the searches.

Finding

The preliminary issue to be determined is whether items 4 through 6 of the appellant's list of additional records form part of a new request or whether they are related to the appellant's initial request. The Board submits that it has conducted searches both in response to the appellant's initial request and during mediation. The Board argues that it should not be accountable for further searches in response to issues raised by the appellant after the conclusion of mediation.

Based on my review of the appellant's submissions, it is apparent that the appellant considers items 4 through 6 to be further clarification of her initial request.

Section 17 of the *Act* imposes certain obligations on requesters and institutions when submitting and responding to requests for access to records. This section states, in part:

> (1) A person seeking access to a record shall,
>
> (a) make a request in writing to the institution that the person believes has custody or control of the record;
>
> (b) provide sufficient detail to enable an experienced employee of the institution, upon a reasonable effort, to identify the record; and
>
> . . . . .
>
> (2) If the request does not sufficiently describe the record sought, the institution shall inform the applicant of the defect and shall offer assistance in reformulating the request so as to comply with subsection (1).

This office has found that institutions should adopt a liberal interpretation of a request, in order to best serve the purpose and spirit of the *Act*. And, in general, ambiguity in the request should be resolved in the requester's favour [Orders P-134, P-880].

The appellant's request is set out above. I find that it is fairly detailed and clear and would enable an experienced employee at the Board, making reasonable effort, to identify the record. Despite this, I see from the Board's submissions, that the Board did contact the appellant in order to further clarify the request regarding the IEP, student profile and social work support.

In addition, I note that the Board and the appellant engaged in discussions with the mediator and further searches were conducted. The discussions at mediation appear to have further clarified the appellant's request and additional records were provided to the appellant.

Items 4 through 6 of the appeal consist of the following:

- Follow up records from consent forms signed June 2005 for assessments
- Follow up records from emails sent to [named individuals]
- Student profile notes, informal assessment notes and ongoing assessment notes

I agree with the Board that these items form part of a new request and are not reasonably related to the appellant's initial request. The mediation discussions between the Board and the appellant resulted in a clarification of the appellant's request with additional searches being conducted and records being provided to the appellant. However, at some point the "clarification" of the request became the creation of a new request and I find that items 4 through 6 comprise part of the appellant's new request. The appellant's initial request was for specific records and items 4 through 6 are all follow-up records which were either created or became known to the appellant after her initial request and after mediation. I believe that items 4 through 6 came out of the discussions that the appellant had with the mediator about possible records that may exist. Items 4 though 6 are in the nature of "ongoing information" which arises from the appellant's son attending school. I find that the appellant's request for this information should not form part of my determination of the reasonableness of the Board's search. Therefore, I will focus only on items 1 through 3 of the appellant's list and determine whether the Board's search was reasonable with respect to the appellant's initial request and these three items.

The appellant's basis for concluding that additional records should exist is founded on her belief that the *Education Act* requires the Board to have additional records relating to her son. The appellant provided a copy of the Ontario Special Education (English) Tribunal decision relating to her son and the Board as evidence that the Board was failing to meet its responsibilities under the *Education Act*. I accept that there have been communication difficulties between the Board and the appellant. I further accept that the Board has been ordered by the Tribunal to take action with respect to the appellant's son and his needs. Nevertheless, based on my review of the Tribunal's decision, the Board's representations and the appellant's representations, I find that the appellant has not provided me with a reasonable basis for concluding that additional records exist.

The Board has provided me with detailed representations on the searches undertaken both in response to the appellant's initial request and during mediation. In addition, I am satisfied with the explanations provided by the Board regarding whether additional records exist. Accordingly, I find that the Board has provided sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records. Thus, I find the Board's search to be reasonable in the circumstances, and as such, I uphold its decision.

The appellant should be aware that my finding does not prevent her from making another request to the Board for additional records relating to her son, and in particular, items 4 through 6 listed above.

RIGHT OF CORRECTION

Section 36(1) gives an individual a general right of access to his or her own personal information held by an institution. Section 36(2) gives the individual a right to ask the institution to correct the personal information:

> Every individual who is given access under subsection (1) to personal information is entitled to,
>
> (a) request correction of the personal information if the individual believes there is an error or omission;
>
> (b) require that a statement of disagreement be attached to the information reflecting any correction that was requested but not made; and
>
> (c) require that any person or body to whom the personal information has been disclosed within the year before the time a correction is requested or a statement of disagreement is required be notified of the correction or statement of disagreement.

Sections 36(2)(a) and (b) provide two different remedies for individuals wishing to correct their own personal information. Section 36(2)(a) entitles individuals to *request* that their personal information be corrected; institutions have the discretion to accept or reject a correction request. Section 36(2)(b), on the other hand, entitles an individual to *require* an institution to attach a statement of disagreement to the information at issue when the institution has denied the individual's correction request. Thus, section 36(2)(a) is discretionary, whereas section 36(2)(b) is mandatory.

The following passage from *Public Government for Private People: The Report of the Commission on Freedom of Information and Individual Privacy/1980*, vol. 3 (Toronto: Queen's Printer, 1980) (the Williams Commission Report) is helpful in understanding the purpose and operation of the *Act*'s correction provisions:

> The ability to correct information contained in a personal record will be of great importance to an individual who discovers that an agency is in default of its duty to maintain accurate, timely and complete records. In this way, the individual will be able to exercise some control over the kinds of records that are maintained about him and over the veracity of information gathered from third-party sources.
>
> Although the report refers to the individual's "right" to correct a file, we do not feel that this right should be considered absolute. Thus, although we recommend rights of appeal with respect to correction requests, agencies should not be under

> an absolute duty to undertake investigations with a view to correcting records in response to each and every correction request. The privacy protection schemes which we have examined adopt what we feel to be appropriate mechanisms for permitting the individual to file a statement of disagreement in situations where the governmental institution does not wish to alter its record. In particular cases, an elaborate inquiry to determine the truth of the point in dispute may incur an expense which the institution quite reasonably does not wish to bear. Moreover, the precise criteria for determining whether a particular item of information is accurate or complete or relevant to the purpose for which it is kept may be a matter on which the institution and the individual data subject have reasonable differences of opinion.
>
> If the request for correction is denied, the individual must be permitted to file a statement indicating the nature of his disagreement. We recommend that an individual who has been denied a requested correction may exercise rights of appeal to an independent tribunal. The tribunal, in turn, could order correction of the file or simply leave the individual to exercise his right to file a statement of disagreement. (pp. 709-710)

One of the purposes of section 36(2) is to give individuals some measure of control over the accuracy of their personal information in the hands of government. Both the *Act* and the Williams Commission Report support the view that the right to correction in section 36(2) is not absolute.

An appellant must first ask the institution to correct the information before this office will consider whether the correction should be made.

For section 36(2)(a) to apply, the information must be "inexact, incomplete or ambiguous". This section will not apply if the information consists of an opinion [Orders P-186, PO-2079].

Section 36(2)(a) gives the institution discretion to accept or reject a correction request [Order PO-2079]. Even if the information is "inexact, incomplete or ambiguous", this office may uphold the institution's exercise of discretion if it is reasonable in the circumstances [Order PO-2258].

This office has previously established that in order for an institution to grant a request for correction, the following three requirements must be met:

1. the information at issue must be personal and private information; **and**

2. the information must be inexact, incomplete or ambiguous; **and**

3. the correction cannot be a substitution of opinion (Orders 186, P-382).

In each case, the appropriate method for correcting personal information should be determined by taking into account the nature of the record, the method indicated by the requester, if any, and the most practical and reasonable method in the circumstances (Order P-448).

Representations

In her initial request, the appellant requested that corrections be made to the IEP and Student Profile. The appellant's request was by way of notations made to copies of these records and then provided to the Board with her access request. Additionally, the appellant's submissions refer to the following corrections she would like made:

All of her son's assessments should be noted

The appellant submits that she would like all of her son's assessments to be noted as she believes that the assessments set out the "specific discrepancies" in her son's learning. The assessments, if listed, would also reinforce her son's need to have specialized programming and accommodation with respect to his education.

Date and outcome of parent/student consultations must be recorded in parent/Student consultation section of the IEP.

The appellant would like the date and outcome of parent/student consultations to be listed in the consultation log of her son's IEP. The appellant submits that "there must be consultation with the parents and students before changes are implemented."

"Parental Notes" section of student profile needs to be filled in.

The appellant submits that she has provided parental notes for the student profile yet these have not been included on the student profile.

Needs Statement

The appellant submits that the needs and strengths must come from all pertinent information about her son, and states that the Board has not allowed her to manually write her son's needs statement. Furthermore, the appellant states that the Board has not given her a copy of the Board's needs statement.

Parental acceptance is incorrectly marked "A"

The appellant submits that this needs to be corrected and that the Board has told her that it cannot correct the student profile through the software or manually. The appellant would like to ensure the accuracy of documents prior to anything be recorded permanently.

Statement on Student Profile regarding IPRC not to be reconvened should be omitted

The appellant submits that the consultation log should note that she received the outcome of the October 18, 2005 on November 7, 2005, and that she filed for the reconvening on November 14, 2005 (within the regulation time).

Finally, the appellant submits that it would be helpful for her to have a "parent friendly guide" which clearly explains what the Board considers appropriate notes to be made in the IEP, assessments and consultation log.

The Board submits that it has endeavoured to make the changes and amendments sought by the appellant where appropriate. In the case where the request for correction was denied, the Board submits that the corrections requested have been:

- to records that are not inexact, incomplete or ambiguous
- for changes to information that is already consistent with the appellant's request
- for substitution of the Board's opinion for that of the appellant
- for a new request requiring clarification

The Board submits that the appellant's initial request for changes to the IEP and Student Profile were not specific and discernable and that the appellant wanted to substitute her opinion for that of the Board. The Board states:

> In her Initial Request the Appellant requested that the Board make "corrections to the IEP and Student Profile." The Appellant attached copies of these documents to her request with the "corrections" she sought transcribed on them …
>
> The Appellant's request for changes was communicated by her using comments written on a copy of the record. The Appellant expected changes to be made by the Board based on comments made by the Appellant such as "how is this possible", "what was done?", "where is it?", "how", "where", "when", "what is his speed?", "computer labs for all classes".
>
> …
>
> The "corrections" communicated by the Appellant were not in the nature of clarifying or amending records that were inexact, incomplete or ambiguous. Rather, the Appellant expected that, based on her critical questions and comments regarding the content in the records, the Board would make substantive changes to the records.

During mediation the appellant made additional requests for "correction to the records which the Board responded to with either amendments or reasons for not allowing the correction. The additional requests for "correction" include

IEP for 2006 – 2007 to identify both psychological assessments that were conducted

The Board submits that the October 25, 2006 IEP provided to the appellant identified the psychological assessments as requested.

Achievement Levels Identified in IEP

The Board denied this request as the IEP addressed alternative goals with respect to personal management skills

[Appellant's son's] Student Profile to identify all Assessments

The Board submits that it identified the assessments that in the opinion of the Board, continue to impact the [appellant's son's] educational program.

Symbol "A" to be removed form the IPRC Decision Statement

The Board attempted to accommodate this request but modifications to the Board's computer template could not be made. The Board did however amend the "A" located on the Student Profile and the Board acknowledged in writing that the IPRC was not accepted.

Appellant's written notes be attached to the IPRC Decision Statement

The Board allowed this request.

The Board submits that the remaining requests for correction were made by the appellant after mediation and were first communicated to the Board in the Mediator's Report. The Board submits that as these are new requests the appellant does not have a right of appeal for these correction requests, as the Board has not had the opportunity to respond to the requests.

Nevertheless, it did provide responses to the appellant's request for correction. The Board notes that its responses are made without prejudice to its position that the Board did not receive these requests as a proper request for correction from the appellant.

Psycho Educational Assessment referred to on IEP should be dated March 11 and 12, 2006 not May 2006

The Board submits that the October 25, 2006 IEP identifies March 15, 2006 as the date of the most recent assessment and not May 2006.

The consultation log on the IEP only notes contacts by the Board, which are not consultations.

The Board notes that the IEP form has sections entitled "Parent/Student Consultation and Staff Review and IEP Updating" and "Record of Parent/Student/Staff Consultation and IEP Updating". The appellant did not feel that the contacts made by the Board could be considered consultation. The Board submits that the appellant is seeking to replace her opinion with that of the Board and her request for correction was not allowed.

The Student Profile is missing parental notes, achievement level, and needs and strengths.

The Board did not allow this request as the appellant is seeking to replace her opinion for that of the Board. The Board submits that it does not consider the inclusion of "achievement levels" to be appropriate for the Student Profile because achievement levels for personal management are not provided in the Ontario curriculum. Furthermore, the Board notes that the Student Profile outlines the Board's assessment of the appellant's son's "strengths" and "needs".

Student Profile states that the IPRC could not be reconvened because 90 days had past. The Appellant contends a reconvening was requested within 15 days.

The Board submits that the October 26, 2006 Student Profile states that "As 90 days have passed since the last IPRC, another IPRC is being reconvened" and it does not state "the IPRC could not be reconvened because 90 days had past". As it does not state the information as set out by the appellant, no correction can be made to the record.

And finally, the appellant requested a correction to the parental acceptance part of the Student Profile which is incorrectly marked as "A". The Board submits that there is an "N" and not an "A" as suggested by the appellant, and as such, no correction can be made.

Finding

As a preliminary matter, I find that the information at issue, which the appellant is asking to be "corrected" in the records, is her son's personal information.

The Board has chosen to divide the appellant's correction requests into three categories: initial requests, requests made during mediation and requests made after mediation, and make representations on its decisions of the various requests. I do not wish to diminish in any way the Board's argument that a number of the appellant's requests for corrections were not made to it initially and that these requests only arose after mediation. My treatment of the correction issue, however, is not based on the timing of the appellant's request.

The appellant wanted all of her son's assessments to be noted on the student profile. The Board submits that all of the assessments that impacted the appellant's son's educational program were noted. The appellant would like all the assessments listed in the student profile as she feels that these assessments reflect her son's needs. From my review of the assessments listed in the student profile, I find that the information in this section is not inexact, incomplete or ambiguous. Essentially, the appellant is looking to add other assessments which she feels are relevant. The

right of correction does not allow for the addition of the type of information which the appellant hopes to make to the record. A more proper tool for the appellant would be to request that a statement of disagreement, found in section 36(2)(b) of the *Act*, be added to the student profile. I will discuss the statement of disagreement in further detail below. Accordingly, I find that the Board's denial of appellant's correction request should be upheld.

The appellant also wanted the date and outcome of the parent/student consultations to be recorded in the parent/student consultation section of the IEP. The Board submits that this is a correction request made after mediation and the appellant does not have a right to appeal the denial of this request. The Board does however state that the appellant is seeking to replace her opinion with that of the Board for the type of information included in this section. From my review of the IEP and the appellant's representations, I am of the impression that the appellant made the correction request in order to encourage the Board to engage in parent/student consultations when there are changes made to the IEP. The appellant would like to see parent/student consultations added to the log because she feels that this consultation is currently not happening. Again, a correction request is not the appropriate mechanism for the appellant to be using to engage in communication with the Board. Within the context of the correction request however, I find that the information in the parent/student consultation section of the IEP is not inexact, incomplete or ambiguous. Accordingly, I find that the Board's denial of the correction request should be upheld.

The appellant wanted the "parental notes" and "needs statement" on the student profile added in. She submits that she has provided these to the Board and they have not been included. The Board submits that with respect to the "needs statement" the information as it now stands outlines the Board's assessment of the appellant's son's needs and strengths. In regard to the "parental notes" I see that it currently states, "Request consultation in program planning". Essentially, the appellant does not want the information corrected, she would just like to add further information that she feels would complete the record relating to her sons needs. As stated above, the correction mechanism under the *Act* is not the appropriate method to have this information added to the student profile. A statement of disagreement would be a more appropriate tool to add the type of information that the appellant is seeking. As far as the correction request is concerned, I find that the Board's denial should be upheld.

Finally, with respect to the "parental acceptance" and the "IPRC reconvening" I note that both of these corrections have been made by the Board and find that these parts of the appellant's correction request are no longer at issue.

I have suggested that the parties use the "statement of disagreement" mechanism in the *Act* to resolve some of the appellant's correction request issues. As this is not an issue before me in this appeal, I will simply refer the parties to Order MO-1700 for guidance in the "statement of disagreement" procedure and the determination of the type of information to be inserted in a "statement of disagreement".

I would further suggest to the parties that many of the issues in the appellant's correction request could have been more appropriately resolved through communication between the parties. The appellant's request for a "parent friendly guide" as to the type of information to be included in the student profile and IEP is really a request for a dialogue between parents and the Board over the decisions and programming relating to her son.

ORDER:

1. I uphold the Board's search for records.

2. I uphold the Board's decision to deny the appellant's correction requests.

Original Signed By: December 13, 2007
Stephanie Haly
Adjudicator