



Office of the  
Saskatchewan Information  
and Privacy Commissioner

## **REVIEW REPORT 192-2024**

### **Regina School Division No. 4**

**March 19, 2025**

#### **Summary:**

The Applicant submitted an access to information request to the Regina School Division No. 4 (Regina Public Schools). Regina Public Schools issued a fee estimate to the Applicant. The Applicant requested a review of the fee estimate; however, as Regina Public Schools had issued the fee estimate past the legislated timeline to provide a response, my office determined that Regina Public Schools was considered to have refused access pursuant to subsection 7(5) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). As such, my office would then be reviewing Regina Public Schools' deemed refusal. After Regina Public Schools issued its section 7 decision letter and released some of the requested records, the Applicant also asked that my office review its decision to withhold records in full and in part, and its search efforts. The A/Commissioner found that Regina Public Schools had properly considered that information in some records was not responsive to the Applicant's request and recommended it continue to withhold the information in those records. The A/Commissioner found that Regina Public School conducted a reasonable search and recommended it take no further action regarding the search for responsive records. Regarding the responsive records, the A/Commissioner found that Regina Public Schools properly applied subsections 21(a) and 28(1) of LA FOIP in some instances, but not others. In addition, the A/Commissioner found that Regina Public Schools did not meet the burden of proof pursuant to section 51 of LA FOIP in demonstrating that subsections 16(1), 17(1)(d) and 18(1)(b) of LA FOIP apply. The A/Commissioner recommended that Regina Public Schools continue to withhold or release the records as outlined in the Appendix of this Report. Where he recommended release, he recommended that Regina Public Schools do so within 30 days of the issuance of this Report.

## I BACKGROUND

- [1] On June 20, 2024, the Regina School Division No. 4 (Regina Public Schools) received an access to information request from the Applicant requesting the following records:

All parental file records about me [Name of Applicant] aka [Alternate Name of Applicant]

\*including text messages, emails, briefing notes on messaging apps including but not limited to Facebook, Facebook Messenger, Instagram, Instagram, Instagram Private Message, X, X Direct Message, TikTok, Slack, Signal, WhatsApp, Edsby, SeeSaw, RazKids, Moodle and all other proprietary educational related groups, pages or applications

1. All communication records from [name of individual A] on X (formerly known as Twitter) messages from her accounts [X account for individual A] formerly [X account for individual A] that mention me and or Twitter user [X account for Applicant] aka [X account for Applicant] aka [X account for Applicant], keywords “coward, bully” and all communications regarding parental consent, parental rights, gender, human rights

2. All communication records\* from [name of individual B] aka [username for individual B] aka @reginapublicschools that mention me and or Twitter user [X account for Applicant], and all internal and external communications and briefing notes and media requests regarding parental consent, parental rights, pronouns and human rights

All communication records between [names of individuals A and B] that mention me and or twitter user [X account for Applicant], and all communications regarding education in Saskatchewan

3. All communication records for [name of individual C]\* that mention, Twitter user [X account for Applicant], and all communications and briefing notes regarding parental consent, or human rights All communication records between [name of individual C], [name of individual B] and/or [name of individual A] that mention me or my official complaint against [name of individual A], Twitter user [X account for Applicant], social media, human rights, parents rights, parental consent

4. All communication records for Regina Public School Division received from [name of individual D] aka [username for individual D] or SEIU West that mention me, Twitter user [X account for Applicant], parental consent, human rights

5. All communication records for Regina Public School Division from [name of individual E] [username of individual E] aka [individual E email address] and/or Safe

Schools Saskatchewan that mention me and/or [X account for Applicant], parental consent

6. All communication records for Regina Public School Division from [name of individual F] aka [username for individual F] that mention me and/or [X account for Applicant], parents, parental consent or education

7. All communication records\* for [name of individual G] that mention me and or [X account for Applicant], LGBTQ, gender, parental rights, pronouns, parents, parents rights, parental consent

8. All communication records for [name of individual H] aka [alternate name for individual H] that mention me or [X account for Applicant], LGBTQ, gender, parental rights, pronouns, parents, parents rights, parental consent

9. All communication records\* for [name of individual I] that mention me and or [X account for Applicant] and all communications regarding parental rights, LGBTQ, pronouns, gender, lunch supervision, lunch club

10. All communication records referencing the following links:

[three links supplied by the Applicant]

11. All communication records referencing Rainbow Week of Action, Rainbow Week of Equality, Wisdom2Action or Queer Momentum

All communications and internal records for the following children including observational notes

[Name of Child A] - dob [birthdate of Child A] - Student Number [student number of Child A]

[Name of Child B] - dob [birthdate of Child B] - Student Number [student number of Child B]

[Name of Child C] - dob [birthdate of Child C] - Student Number [student number of Child C]

[Name of Child D] - dob [birthdate of Child D] - Student Number [student number of Child D]

A list of RPSD employees who accessed digital files regarding the above named children

A list of RPSD employees or third parties who had physical or digital access to the above named children

All communications from RPSD mentioning the above named children

All communications between [name of individual A] and RPSD employees who have had physical or digital access to the above named children

All communications from [name of individual J] regarding LGBTQ, parental rights and lunchroom supervision/ lunch club for Harbour Landing School.

- [2] On July 3, 2024, Regina Public Schools responded to the Applicant confirming receipt of the Applicant's June 20, 2024 access request and application fee. Regina Public Schools advised the Applicant that it would likely be issuing a fee estimate as the "cost for providing access to records" would exceed "the prescribed amount of \$100" as the request was broad. The Applicant was advised they would be required to pay a 50% deposit prior to Regina Public Schools completing the request. Regina Public Schools also acknowledged the Applicant's request to waive any fees, and that if the Applicant planned to ask for a fee waiver, they would need to "provide documentation to substantiate financial hardship." The Applicant was also advised that Regina Public Schools would provide a fee estimate to them by mid-July.
- [3] On July 29, 2024, the Applicant emailed Regina Public Schools as they had not received any further communication from it.
- [4] In a letter dated August 13, 2024, Regina Public Schools issued the Applicant a fee estimate of \$29,247 and stated it would begin processing the request once the Applicant paid the 50% deposit of \$14,623. To reduce the cost, Regina Public Schools offered to work with the Applicant to modify their request.
- [5] On August 13, 2024, the Applicant emailed my office a copy of the fee estimate to request a review of it. On August 14, 2024, my office requested additional documentation from the Applicant to proceed with the review of the fee estimate, which the Applicant provided on August 15, 2024.
- [6] On August 15, 2024, my office advised Regina Public Schools that the Applicant had submitted a request for review of its fee estimate. In this email, my office advised that,

based on correspondence provided by the Applicant, it appeared that Regina Public Schools had not responded to the Applicant within the legislated timelines, including issuing its fee estimate. My office asked Regina Public Schools if it had provided written notification to the Applicant that it had extended the time to respond pursuant to section 12 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). My office also asked Regina Public Schools if it had provided its section 7 decision to the Applicant. If it had, my office asked Regina Public Schools to provide my office with a copy.

[7] On August 16, 2024, my office advised the Applicant that once Regina Public Schools provided the requested documentation, a review would proceed of either Regina Public School's fee estimate or its late response.

[8] On August 21, 2024, Regina Public Schools advised that it had issued its fee estimate to the Applicant late due to a number of factors. On August 22, 2024, my office advised Regina Public Schools that as more than 30 days had elapsed since it received the Applicant's access request, it no longer had the ability to issue a fee estimate pursuant to subsection 7(2)(a) of LA FOIP. My office further noted that as Regina Public Schools had not issued its section 7 decision within the legislated timelines, it became a deemed refusal pursuant to subsection 7(5) of LA FOIP. My office added that if Regina Public Schools did not provide its section 7 decision letter to the Applicant by August 28, 2024, that my office would "likely proceed" with a review of a deemed refusal.

[9] As Regina Public Schools did not issue its section 7 decision by August 28, 2024, on September 3, 2024, my office notified Regina Public Schools and the Applicant that my office would be undertaking a review. In the notice, my office requested Regina Public Schools submit the following by October 3, 2024:

- A submission as to whether or not legislative timelines were met and if any extensions taken met the requirements of subsections 7/12 of LA FOIP;
- A copy of the section 7 decision (if one was prepared and indicate if it was provided to the Applicant);

- A copy of the responsive record (redacted and unredacted) and index of record which should indicate if any records or portions of responsive records are being withheld as non-responsive; and
- Explain how any exemption(s) applied are applicable in the circumstances.

[10] On September 26, 2024, my office reminded Regina Public Schools that the items outlined above were due by October 3, 2024. On the same day, Regina Public Schools acknowledged the email and indicated it was preparing its response. On October 2, 2024, Regina Public Schools responded to my office advising that “the search process is well underway but, due to the number and complexity of requests contained within the application, is not yet complete.”

[11] On October 3, 2024, my office then advised Regina Public Schools that if it did not provide my office with a copy of the responsive records, index of records (index) and submission by the end of the day, my office would proceed to issue a Notice to Produce Records.

[12] As my office had not received the requested documentation by the end of day October 3, 2024, on October 4, 2024, my office issued a Notice to Produce Records to Regina Public Schools pursuant to section 43 of LA FOIP. The notice advised that Regina Public Schools was required to produce the items outlined in the notification email by October 11, 2024. If it did not comply with the Notice to Produce Records by this date, then my office would issue a Summons in respect of this matter.

[13] On October 11, 2024, Regina Public Schools provided my office with a copy of the responsive records, index and an accompanying letter. The letter outlined how it searched for records and how it concluded which records were non-responsive, or subject to exemptions and redacted in part or withheld in full.

[14] On October 24, 2024, Regina Public Schools couriered its section 7 decision letter, dated October 23, 2024, to the Applicant and to my office, and released parts of the requested records. The section 7 decision letter indicated as follows:

This is to inform you that your access request has been partially granted. The attached cover pages provide a summary of the searches for each element of the application, and the responsive records are available to you digitally on a USB device. Some records have been withheld entirely or redacted because ss. 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* prohibits a local authority from disclosing personal information in its possession or under its control without the consent of the individual to whom the information relates. This includes records that contain one or more of the key words in the search (e.g., parents) but pertain to students other than the students referenced in the request and contain personal information. Other records have been withheld under ss. 21(a), solicitor client privilege, ss. 17(d) [sic], information that could interfere with contractual interests of the local authority, ss. 18(1), financial, commercial, scientific, technical or labour relations information that is supplied in confidence, implicitly or explicitly, to the local authority by a third party, and s. 16, advice from officials to the Board. Other records requested are not provided because they do not exist or are not in the control of Regina Public Schools, such as personal social media accounts.

[15] On October 25, 2024, my office confirmed that the Applicant had received the records and Regina Public Schools' accompanying section 7 decision letter. My office requested that the Applicant review the information and provide a response by November 1, 2024 advising if they were satisfied with the response they had received. On November 1, 2024, the Applicant responded that they were not satisfied with the records they had received. On November 5, 2024, my office required clarification on what issues they are requesting my office review, based on the section 7 decision letter. On November 7, 2024, following a telephone conversation with the Applicant, they indicated that they wished all exemptions to be reviewed. As well, the Applicant asked my office to review Regina Public Schools' search efforts and how it concluded some records are not in its control.

[16] On November 14, 2024, my office advised Regina Public Schools of the expanded scope and asked for its submission regarding its search efforts and how it concluded some records were not in the control of Regina Public Schools. My office also requested that Regina Public Schools provide contact information for the Third Party. On November 18, 2024, Regina Public Schools provided my office with the Third Party's contact information. On November 20, 2024, my office notified the Saskatchewan League of Educational Administrators, Directors and Superintendents (LEADS) of the review. On November 22, 2024, LEADS provided a response outlining its position.

[17] On November 26, 2024, Regina Public Schools provided my office with representations on the expanded scope of the review.

## II RECORDS AT ISSUE

[18] Regina Public Schools provided an index; however, the index did not number the records at issue. It also did not paginate the records and instead Regina Public Schools submitted each record as a separate document that contain varying numbers of pages. For the purposes of this review, I have numbered the records on the index. My office will share a copy of the index with Regina Public Schools with the numbering.

[19] Based on my office's count, Regina Public Schools identified responsive records totaling 9,141 pages with exemptions applied in full or in part. I provide details about the responsive records and my recommendations to withhold or release in the Appendix to this Report.

[20] Regina Public Schools claimed that portions of records 7, 25, 29 to 37, 45 to 47 and 65 (based on my office's count this is 250 pages of records) were redacted as these parts of the record are not responsive to the request. Regina Public Schools also identified some records as fully non-responsive (26, 97 to 127, 256 to 375, 416 to 460 and 462), that based on my office's count is 1,819 pages.

[21] When a local authority receives an access to information request, it must determine what information is responsive to the access request. "Responsive" means relevant. The term describes anything that is reasonably related to the request. It follows that any information or records that do not reasonably relate to an applicant's request will be considered "not responsive" (*Guide to LA FOIP*, Chapter 3: "Access to Records", updated May 5, 2023 [*Guide to LA FOIP*, Ch. 3], p. 26).

[22] In my office's [Review Report 142-2024](#) at paragraphs [17] and [18], it was found that some records were separate, distinct and unrelated to what the Applicant was seeking in their access to information and it was recommended that SGI continue to withhold the non-



responsive information. From my office's review, I agree with Regina Public Schools' position that these records are separate, distinct and unrelated to the Applicant's request, as the records do not relate to the Applicant, their children or the topics specified in the Applicant's request. I recommend that Regina Public Schools continue to withhold these non-responsive records.

### **III DISCUSSION OF THE ISSUES**

#### **1. Do I have jurisdiction?**

[23] Regina Public Schools qualifies as a "local authority" pursuant to subsection 2(1)(f)(viii) of LA FOIP. Therefore, I find that I have jurisdiction to conduct this review.

#### **2. Did Regina Public Schools conduct a reasonable search for records?**

[24] After receiving Regina Public Schools' section 7 decision and copy of the records, the Applicant stated as follows:

Regina Public School Division released less than 10% of the records they originally identified (many being heavily redacted), and most are not useful. I am absolutely not satisfied with the results and would like to know who was responsible for choosing the records that they did provide, and what methodology they used for choosing them.

[25] Section 5 of LA FOIP provides an applicant with a right of access to records in the possession or control of a local authority. It states:

**5** Subject to this Act and the regulations, every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control of a local authority.

[26] Section 5 of LA FOIP establishes a right of access by any person to records in the possession or control of a local authority subject to limited and specific exemptions, which are set out in LA FOIP (*Guide to LA FOIP*, Ch. 3, p. 3).

[27] Subsection 5.1(1) of LA FOIP states:

**5.1(1)** Subject to this Act and the regulations, a local authority shall respond to a written request for access openly, accurately and completely.

[28] Page 12 of the *Guide to LA FOIP*, Ch. 3, states that subsection 5.1(1) of LA FOIP requires a local authority to respond to any applicant's access to information request openly, accurately and completely. This means that local authorities should make reasonable effort to not only identify and seek out records responsive to an applicant's access to information request, but to explain the steps in the process.

[29] The *Guide to LA FOIP*, Ch. 3 also states at page 12, that a reasonable search is one in which an employee, experienced in the subject matter of the records, expends a reasonable effort to locate records which are reasonably related to the request. What is reasonable depends on the request and related circumstances. The local authority should provide my office with detailed information about its efforts to conduct a search.

[30] A local authority may respond to an access to information request by stating that "records do not exist" in two circumstances. It may respond that way where its search for records did not produce records. Second, where records may exist, but they are not in the "possession or control" of the local authority (see my office's [Review Report 029-2021](#)).

[31] Where the claim is that records do not exist, LA FOIP does not require that the local authority prove with absolute certainty that the records do not exist. My office may consider reasonable explanations for why a record would not exist, but a local authority still needs to demonstrate that it made reasonable efforts to search.

[32] The *Guide to LA FOIP*, Ch. 3 at pages 14 to 15, sets out some examples of the type of information that my office will consider in evaluating the search efforts. The following examples are relevant here:

- For general requests – tie the subject matter of the request to the departments/divisions/branches/committees/boards included in the search. In other words, explain why certain areas were searched and not others.
- Identify the employee(s) involved in the search and explain how the employee(s) is experienced in the subject matter.
- Explain how the records management system is organized (both paper & electronic) in the departments/divisions/branches included in the search.
- Describe how records are classified within the records management system. For example, are the records classified by alphabet, year, function, and subject.
- Consider providing a copy of your organization’s record schedule and screen shots of the electronic directory (folders & subfolders).
- Explain how a search of mobile electronic devices was conducted (i.e., laptops, smart phones, cell phones, tablets).
- Explain which folders within the records management system were searched and how these folders link back to the subject matter requested. For electronic folders – indicate what key terms were used to search if applicable.
- Indicate the calendar dates each employee searched.
- Indicate how long the search took for each employee.
- Indicate what the results were for each employee’s search.
- Consider having the employee that is searching provide an affidavit to support the position that no record exists or to support the details provided. For more on this, see my office’s resource, [\*Using Affidavits in a Review with the IPC\*](#).

[33] I note that the wording of the Applicant’s request is very broad and detailed. An access to information request that is frivolous, vexatious, not made in good faith or that concerns a trivial matter can amount to “an abuse of the right of access” if an applicant uses the access provision of LA FOIP in a way that is contrary to its principles and objects. One of the factors is considering if the nature and scope of the request is excessively broad or varied in scope or unusually detailed. In the future, I suggest the Applicant exercise caution on the scope of their access requests.

[34] I appreciate that the scope of the Applicant's access request may have made Regina Public Schools' search for responsive records challenging. In addition, I note that in Regina Public Schools' letter to the Applicant on July 2, 2024, where it acknowledged receipt of the request and advised a fee estimate would be prepared, Regina Public Schools offered to work with the Applicant to clarify or narrow their request to reduce fees. It does not appear the Applicant responded to this offer. In the August 13, 2024 fee estimate issued by Regina Public Schools, it also offered to work with the Applicant to modify their request to reduce the cost. This does not appear to have resulted in an opportunity for Regina Public Schools and the Applicant to narrow the scope of the request as the Applicant requested that my office review Regina Public Schools' fee estimate. However, as noted earlier in this Report, Regina Public Schools did not issue its fee estimate within the legislated timeline and so it was left in a position where, according to LA FOIP, it was deemed to have refused access.

[35] At issue is Regina Public Schools' search efforts for responsive records. Regarding this, Regina Public Schools stated the following:

The school division released to the applicant 1,458 documents totaling 22,034 pages, which is 4,587 pages (26 percent) more pages than estimated. The fee estimate was an early (pre-search) estimate of a very large, multi-faceted and complex request and, once the search was complete, it underestimated the number of pages.

The school division made extensive efforts to identify and locate responsive records. We designed a search process and assigned responsibilities to qualified staff who are experienced in their subject matter. Regina Public Schools' senior information technology staff wrote and validated query scripts bound by the date range provided in the application and the key words listed in the application and ran the queries across Regina Public Schools' various applications including Microsoft 365 (email and calendar including all folders such as inbox, sent, deleted, etc), Teams and file servers. For student records requested, qualified instructional staff searched student records applications including Dossier, Edsby, Clevr and MySchoolSask and took screen shots of information about the students named in the application. The principal of [name of school] searched for physical records at the school and provided the Cumulative Records for each of the students. All records captured in the search were converted to PDF format for accessibility and each record was reviewed. We are confident that our search efforts were comprehensive and accurate, more than meeting the reasonable effort standard outlined in the IPC Guide.

[36] In Regina Public Schools' section 7 decision letter issued to the Applicant, it outlined the keywords that it used to search for each of the items listed on the Applicant's access to information request. While the search terms varied for each of the 13 items, they included the name of the Applicant, social media handles identified by the Applicant, names of the Applicant's children and their student numbers, names of individuals specified by the Applicant, specific links referenced by the Applicant as well as the following terms:

- Social media,
- Human rights,
- Safe Schools Saskatchewan,
- Education,
- Education in Saskatchewan,
- Parents,
- Parents rights,
- Parental consent,
- Parental rights,
- LGBTQ,
- Pronouns,
- Gender,
- Lunch,
- Supervision,
- Lunch club,
- Rainbow Week of Action,
- Rainbow Week of Equality,
- Wisdom2Action, and
- Queer Momentum.

[37] Regina Public Schools' IT team further clarified the following regarding the search queries utilized for the search:

- Required keywords in every search were a date range and keywords in the FOI request.
- The search query would return a result for any presence of a single keyword. The query acts as an individual keyword search, not a combination of having all keywords present in a result.

[38] Regina Public Schools' search for records in relation to the Applicant's access request that identified appropriate keywords and locations to search. Prior to formally responding to

the Applicant, Regina Public Schools did acknowledge with them that their access request would likely result in a large number of pages and, consequently, a large fee estimate.

[39] As well, Regina Public Schools indicated that “other records requested are not provided because they do not exist because they do not exist or are not in the control of Regina Public Schools, such as personal social media accounts.”

[40] For item number 1 of the Applicant’s request, the Applicant sought messages from an individual’s X (formerly Twitter) account and named the social media accounts they believed to be associated with the individuals. For the social media accounts, Regina Public Schools stated that the accounts “do not belong to Regina Public Schools.”

[41] My office’s resource, [\*Best Practices for Managing the Use of Personal Email Accounts, Text Messaging and Other Instant Messaging Tools\*](#), states:

Emails, text messages and other instant messages are forms of electronic correspondence and are considered records under FOIP and LA FOIP, regardless of the tool or service used to create them as long as they are in the possession or control of the public body.

...

Section 5 of both FOIP and LA FOIP provides that, “every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control” of a public body unless specific exemptions apply.

The Information and Privacy Commissioner (IPC) has set criteria that it uses to determine if a record is in the possession or control of a public body that may take into consideration the physical location of a record and factors such as why was the record created, who created it and if it relates to the public body’s mandate or functions.

A record does not need to be both in the possession or control of a public body, but rather one or the other. Therefore, in those cases where a record is not in the possession of the public body, the question is whether it is under the public body’s control. In deciding this, the IPC considers the following:

1. Do the contents of the document relate to the public body’s business?
2. Can the public body reasonably expect to obtain a copy of the document upon request?

While our office is of the opinion that official public body business should never be conducted through personal email accounts, if emails of a business nature are sent through these personal accounts, those emails would be considered a record pursuant to FOIP or LA FOIP.

[42] In their submission to my office, the Applicant provided screenshots of what appear to be social media posts by the accounts they named in their request. However, it is not apparent from a review on the face of the records if they are related to official business of Regina Public Schools.

[43] My office followed up with Regina Public Schools to determine how it reached its conclusion that records created in the named social media accounts were not in its control. Regina Public Schools stated that it had searched for the two accounts on X and “could find no record of these accounts and was therefore unable to review the content of these accounts.” It provided screenshots to support that it had undertaken this search.

[44] Regina Public Schools also provided a copy of its *Administrative Procedure Online Communication and Interaction/Social Media*, which states:

3. Online communication and social media may include, but is not limited to, texting; iMessage; BBM; Whatsapp; Kik; SnapChat; and posting on websites; blogs and other online media such as: Facebook; G+; Twitter; Instagram; YouTube; LinkedIn;-Edmodo; GroupMe; etc.

4. Use of online communication and social media within Regina Public Schools is permitted according to the following parameters and with consideration of the Guidelines attached:

4.1. Staff may create, post, respond and upload to sites and information relating to the business, instructional goals and parental communication needs of the School Division.

4.1.1. All posted content and responses by School Division staff shall be strictly limited to information related to School Division business, educational goals and parental communication requirements.

4.1.2. Staff shall not text, post, respond, or otherwise communicate personal opinions and comments when working or presenting themselves as School Division staff or representatives.

4.1.3. All School Division employees shall be encouraged to be mindful of Division Procedures and The Shared Values in posting, replying or initiating any online interaction.

4.2. Any online interaction conducted during work hours must be for educational and/or business purposes.

...

4.6. Personal online interactions with students and parents, except those for instructional and or school related purposes, are not permitted.

...

#### Guidelines

...

Staff asked to provide personal opinions by news media or others on division issues shall proceed only after seeking advice from their supervisor and referencing Administrative Procedure 125 -- Communications.

Staff/Students shall be aware that their personal online presence and activity, if in any way connected to the division, or commenting about the Division, or its practices, may be scrutinized according to Procedure and/or codes of conduct.

Staff/Students are encouraged to maintain separate online accounts if they choose to maintain professional and personal online interactions.

[45] As a reminder to employees of a local authority, if personal social media accounts are used to conduct activities in an official capacity as an employee, that will result in the creation of official records that are subject to LA FOIP.

[46] Regina Public Schools did provide screenshots to demonstrate that it had searched X for the social media accounts identified by the Applicant and the accounts were not found.

[47] Given the scope of the Applicant's access request, these appear to have been reasonable keywords and locations. Based on these factors, I find that Regina Public Schools' search was reasonable.

[48] I recommend that Regina Public Schools take no further action regarding the search for responsive records.



**3. Did Regina Public Schools properly apply subsection 21(a) of LA FOIP?**

[49] Regina Public Schools applied subsection 21(a) of LA FOIP to 80 records (records 134 to 213). This totals 1,578 pages. Regina Public Schools claimed these records are subject to solicitor-client privilege and provided my office with a non-redacted copy of the records for this review.

[50] Subsection 21(a) of LA FOIP provides:

**21** A head may refused to give access to a record that:

(a) contains any information that is subject to any privilege that is available at law, including solicitor-client privilege;

[51] Before I proceed with my analysis of subsection 21(a) of LA FOIP, Regina Public Schools withheld these records in full. In past reports, consistent with section 8 of LA FOIP, I have recommended that public bodies release innocuous portions of records, or those that would not disclose the content of the records. For example, in my office's [Review Report 188-2022](#), I found that subsection 21(a) and (b) of LA FOIP do not apply to the headers, footers, subject lines and confidentiality statements of emails. In that report, I recommended the public bodies release that type of information to the Applicant. For more information on what my office considers to be headers and footers in an email, refer to my office's blog, [Severing Email Records \(updated\)](#). Therefore, in this matter, I find that Regina Public Schools has not properly applied subsection 21(a) of LA FOIP to the headers, footers, subject lines and confidentiality statements of communications of records 134 to 213.

[52] While Regina Public Schools has not applied any other exemptions to the headers, footers, subject lines and confidentiality statements of these records, I need to consider if any of these portions of the records contain personal information. From a review of these portions of the records, the confidentiality statements do not contain personal information. However, there are some instances in which it appears that personal information is present in the headers and/or subject lines of records 137 to 139, 143 to 145, 153 to 156, 159, 162, 163, 166, 167, 169, 175 to 180, 198, 202 to 204 and 212. I will consider the application of

subsection 28(1) of LA FOIP to the headers, footers, subject lines and confidentiality statements later in this Report. For the remaining records, I recommend that Regina Public Schools release any headers, footers, subject lines and confidentiality statements that appear on the remaining records to the Applicant within 30 days of the issuance of this Report.

[53] Regarding the remaining portions where Regina Public Schools is relying on subsection 21(a) of LA FOIP, my office's *Guide to LA FOIP*, Chapter 4, "Exemptions from the Right of Access", updated October 18, 2023, (*Guide to LA FOIP*, Ch. 4) at page 223, states that subsection 21(a) of LA FOIP is a discretionary exemption. It permits refusal of access in situations where a record contains information that is subject to any legal privilege, including solicitor-client privilege.

[54] The purpose of solicitor-client privilege is to assure clients of confidentiality and to enable them to speak honestly and candidly with their legal representatives. The *Guide to LA FOIP*, Ch. 4 at pages 225 to 232, sets out the following three-part test that my office uses to determine if the privilege applies:

1. Is the record a communication between solicitor and client?
2. Does the communication entail the seeking or giving of legal advice?
3. Did the parties intend for the communication to be treated confidentially?

[55] I will consider each part of the test below.

- 1. *Is the record a communication between solicitor and client?***
- 2. *Does the communication entail the seeking or giving of legal advice?***

[56] The privilege only applies where the parties involved in the communication qualify as solicitor and client. Page 226 of Ch. 4 of the *Guide to LA FOIP*, sets out the following definitions for "solicitor" and "client":

- “Solicitor” means a lawyer who is duly admitted as a member and whose right to practice is not suspended. “Lawyer” means a member of the Law Society and includes a law student registered in the Society’s pre-call training program.
  
- “Client” means a person who:
  - Consults a lawyer and on whose behalf the lawyer renders or agrees to render legal services; or
  - Having consulted the lawyer, reasonably concludes that the lawyer has agreed to render legal services on his or her behalf;

and includes a client of the law firm of which the lawyer is a partner or associate, whether or not the lawyer handles the client’s work.

[57] For the first part of the test, the records would have to qualify as communications between solicitor and client. Regina Public Schools did not explicitly state who its legal counsel is in this matter, nor did its submission address how the records would qualify as communications between client and solicitor. However, upon review, some of the records appear to be communications with employees of the Saskatchewan School Boards Association (SSBA) or a lawyer with an external law firm. For the individuals identified as SSBA employees, the SSBA website provides the following regarding the legal services it offers:

### **Legal Services**

SSBA Legal Services comprises a small team of lawyers and a Senior Consultant, Employee and Labour Relations, who provide advice to member boards in areas specific to the education sector. Legal Services provides advice and support to boards of education on a variety of issues, including employment and labour law issues, student issues, parent issues, family law issues, accommodation and human rights matters, investigations, discipline, termination, matters arising under *The Education Act, 1995* and its regulations, privacy and access (LAFOIP), board of education matters including conflict of interest, SCC, school closures, Charter questions, collective bargaining, contracts, and other legal matters with a unique educational component.

[58] Pages 227 and 228 of the *Guide to LA FOIP*, Ch. 4, provides the following regarding a communication for the first part of the test:

Communications can be written or verbal.

The privilege does not necessarily apply to attachments to documents (e.g., attachments to emails) even those attached to genuine legal advice. On the other hand, an attachment that is an integral part of a legal opinion in the covering email or document could be privileged. For example, if the attachment would provide some basis for a reader to determine some or all of the opinion or advice. The party claiming privilege over an attachment must provide some basis for the claim. The point is that it is the content of the communication and who is communicating, not the form of the communication that determines privilege and confidentiality. Furthermore, it makes no practical sense to parse the contents of attachments in order to sever the parts that are privileged from the parts that are not. If some of the attachment is part of the legal advice, then all of it is protected by solicitor-client privilege.

Written communications between officials or employees of a local authority, quoting the legal advice given orally by the local authority's solicitor, or employee's notes documenting the legal advice given orally by the solicitor could qualify. This includes notes "to file" in which legal advice is quoted or discussed.

The privilege does not attach to advice provided by someone who is not a lawyer; the advice must be sought from a professional legal advisor in his or her capacity as such.

[59] Regina Public Schools did not provide any details of the solicitor-client relationship for any of the records. However, from a review of the records, some involve communications with SSBA employees (SSBA Director, Legal Services, SSBA Solicitors A, B and C and SSBA Legal Counsel A and B) and a lawyer with an external law firm. Each of these individuals are licensed to practice law according to the Law Society of Saskatchewan's website. However, I will review each on records and make a determination, on the face of the record, if the first part of the test is met. That is, if the record would qualify as a communication between solicitor and client.

[60] For the second part of the test, the communication between solicitor and client would have to entail the giving of seeking of legal advice. Page 228 of the *Guide to LA FOIP*, Ch. 4 provides that "legal advice" means a legal opinion about a legal issue, and a recommended course of action, based on legal considerations, regarding a matter with legal implications.

[61] As such, I will also have to determine on the face of the records, if the communications would qualify as the giving or seeking of legal advice.

[62] From a review on the face of the record, this part of the test is not met:

- Record 134 is an email between Regina Public Schools employees sharing a memo from SSBA. The memo would not qualify as legal advice; therefore, this communication would not be in the continuum.
- Record 135 is an email from the SSBA Administrative Paralegal to Saskatchewan school divisions sharing the same memo as record 134. The memo would not qualify as legal advice; therefore, this communication would not be in the continuum.
- Record 136 is an email from SSBA Administrative Paralegal to Saskatchewan school divisions sharing a memo. The memo would not qualify as legal advice and this communication would not be in the continuum of legal advice.
- Record 140 is an email between Regina Public Schools employees inquiring about a matter. This communication would not be in the continuum of legal advice.
- Record 141 is an email between Regina Public Schools employees related to the same matter as record 140. In the email, it identifies the name of an external lawyer related to a legal matter. However, it is not legal advice; rather it is process related to the matter.
- Record 150 and 151 are email threads and attachment. The initial email in both of these records is from SSBA's Administrative Paralegal to Saskatchewan school divisions, including Regina Public Schools. In both records, this email is forwarded to a Regina Public Schools employee. The attachment in both records is a memo from SSBA on a topic.
- Record 152 is an email thread with an attachment. The initial email is from the SSBA's Administrative Paralegal to Saskatchewan school divisions, including Regina Public Schools. The email was then forwarded to another Regina Public Schools employee. The attachment is a memo from SSBA on a topic.
- Record 161 is an email thread and attachment. The initial email is from the SSBA Administrative Paralegal to Saskatchewan school divisions, including Regina Public Schools. This was then forwarded to another Regina Public Schools employee. The attachment is a memo from SSBA on a topic.
- Record 165 is an email thread and attachment. The initial email is from SSBA Administrative Paralegal forwarding a summary document to Saskatchewan school divisions, including Regina Public Schools. This email was then forwarded to three other Regina Public Schools employees.
- Record 168 is an email and attachment from SSBA's Legal Services general email to Saskatchewan school divisions, including Regina Public Schools. The email is a template agreement for school divisions to use with another party. The attachment is the template agreement.

- Record 170 is an email and attachment. The email is from a Regina Public Schools employee to the Regina Public Schools Board of Trustees and copying two other Regina Public Schools employees. The attachment is forwarding a copy of a memo from SSBA. This is the same memo that was attached to record 134.
- Record 171 is an email and attachments from SSBA Administrative Paralegal. The email does not show who the email was sent to. The attachments are powerpoint presentation slides.
- Record 172 is an email and attachment. The email is from a Regina Public Schools employee to two other Regina Public Schools employees. The attachment is a letter from SSBA Solicitor A to a parent about a number of issues with Regina Public Schools.
- Record 173 is an email and attachment. The email was from SSBA's Administrative Paralegal to Saskatchewan school divisions. The attachment is a memo from SSBA on a topic.
- Records 184 and 185 is an email thread between three Regina Public Schools employees about a topic. The email contains what appears to be questions that were posed and responded to. Does not indicate who the questions were posed to or who responded to the questions.
- Record 188 is an email thread. The email thread contains the same emails as records 184 and 185.
- Record 193 is an email thread between three Regina Public Schools employees. The email is drafting questions to pose to SSBA's legal team to seek advice. The final version of this email was sent to SSBA in record 191.
- Record 198 is an email thread. The initial email is from a Regina Public School Board Trustee, other board trustees and Regina Public Schools employees advising of a complaint from a parent related to Regina Public Schools. The response is from a Regina Public Schools employee and copying three other Regina Public Schools employees.
- Records 209 to 211 are email threads. The initial email in all these email threads is from an employee of Regina Public Schools to other Regina Public Schools employees formally expressing their personal opinions about a new policy. The responses in these email threads relate to this same topic.

[63] From a review on the face of the records, record 193 is not a communication involving solicitors; however, in my office's [Review Report 005-2017, 214-2015 – Part II](#) at paragraph [59], my office referenced a resource entitled, *The Basics of Solicitor-Client*

*Privilege*, from the Office of the Information and Privacy Commissioner of Alberta. It provides the following regarding the continuum of legal advice:

Documents that are not actually passed between the solicitor and client may be part of the continuum of legal advice, or reveal information subject to solicitor-client privilege.

More examples of records found to be part of the continuum of legal advice:

- **A discussion between two public officials about how to frame the question that is to be asked of the lawyer** (Order F2007-008 at para. 12)
- Written communications between officials or employees of a public body, in which they quote or discuss the legal advice given by the public body's solicitor (Order 99-013 at paras. 62-63; Order 2001-025 at para. 67)
- Communications discussing the application of legal advice given by a solicitor (Order 96-020 at para. 133)
- An employee's notes regarding a solicitor's legal advice, and comments on that advice (Order 99-027 at para. 95)
- Notes "to file" in which legal advice is quoted or discussed (Order F2005-008 at para. 42)
- Solicitors' briefing notes and working papers that are directly related to the seeking or giving of legal advice (96-017 at para. 30)

[Emphasis added]

[64] Pages 228 of the *Guide to LA FOIP*, Ch. 4, provides that the scope of solicitor-client privilege is broad. It applies to all communications made with a view to obtaining legal advice. If a communication falls somewhere within the continuum of that necessary change of information, the object of which is the giving or receiving of legal advice, it is protected by solicitor-client privilege.

[65] As record 193 is a discussion between Regina Public Schools employees discussing how to frame questions to seek legal advice from a lawyer, record 193 would be part of the continuum of legal advice, and therefore, I find that the first and second part of the test would be met. I will consider the third part of the test for this record.

[66] The remaining records, records 134 to 136, 140, 141, 150 to 152, 161, 165, 168, 170 to 173, 184, 185, 188, 198 and 209 to 211, are not communications involving a solicitor, nor do they appear to be part of the continuum of legal advice. As such, the first part of the test

is not met. Therefore, I find that Regina Public Schools has not properly applied subsection 21(a) of LA FOIP to these records. While Regina Public Schools has not applied any other exemptions to these records, I note that records 140, 141, 172, 198 and 209 to 211 may contain personal information, and so I will consider if subsection 28(1) of LA FOIP would apply to them later in this Report prior to making a recommendation on their release. I recommend that Regina Public Schools release records 134 to 136, 150 to 152, 161, 165, 168, 170, 171, 173, 184, 185 and 188 within 30 days of the issuance of this Report. See the Appendix.

[67] A number of records are communications involving a solicitor; however, it also must qualify as the giving or seeking of legal advice. Page 229 of the *Guide to LA FOIP*, Ch. 4, notes that business or policy advice provided by a lawyer will not attract the privilege. The Supreme Court of Canada in *Campbell* recognized this:

It is, of course, not everything done by a government (or other) lawyer that attracts solicitor-client privilege. While some of what government lawyers do is indistinguishable from the work of private practitioners, they may and frequently do have multiple responsibilities including, for example, participation in various operating committees of their respective departments. Government lawyers who have spent years with a particular client department may be called upon to offer policy advice that has nothing to do with their legal training or expertise, but draws on departmental know-how. Advice given by lawyers on matters outside the solicitor-client relationship is not protected... Whether or not solicitor-client privilege attaches in any of these situations depends on the nature of the relationship, the subject matter of the advice and the circumstances in which it is sought and rendered.

[68] As Regina Public Schools did not provide arguments to explain how these records entail the giving or seeking of legal advice or background on the circumstances in which advice is sought or rendered, I will need to consider if the second part of the test is met, based on a review on the face of the record. The following records would not entail the giving or seeking of legal advice:

- Record 142 is an email from Regina Public Schools employee to the Director, Legal Services. The email is sharing a draft letter that does not relate to a legal matter.
- Record 164 is an email thread. The initial email is from a Regina Public Schools employee to SSBA Solicitor A asking for their thoughts on a specific incident,



however it does not relate to a legal matter. SSBA Solicitor A responded referencing relevant resources on the topic. This was then forwarded to a Regina Public Schools employee and an email distribution list for Superintendents.

- Record 174 is an email between Regina Public Schools employees and an attachment. The email lists questions that were submitted to SSBA's legal team, as well as the attached document relating to the questions posed. This does not relate to a legal matter.
- Record 175 is an email thread. The initial email is from a Government of Saskatchewan employee to SSBA Solicitor C, copying another Government of Saskatchewan employee. This was forwarded to a Regina Public Schools employee, who then responded to the email and copied another Regina Public Schools employee. The email content does not entail the giving or seeking of legal advice between client and solicitor.
- Record 213 is an email and attachments. The email is between Regina Public Schools employees. The email references a discussion with SSBA Legal Counsel B. The attachments relate to a policy and questions posed related to the policy. This is not legal advice.

[69] Records 142, 164, 174, 175 and 213 are not communications that would entail the giving or seeking of legal advice. As such, the second part of the test is not met. Therefore, I find that Regina Public Schools has not properly applied subsection 21(a) of LA FOIP to these records. While Regina Public Schools has not applied any other exemptions to these records, I note that record 175 may contain personal information, and so I will consider if subsection 28(1) of LA FOIP would apply to them later in this Report prior to making a recommendation on their release. I recommend that Regina Public Schools release records 142, 164, 174 and 213 within 30 days of the issuance of this Report. See the Appendix.

[70] From a review on the face of the record, the following records would entail the giving or seeking of legal advice:

- Record 137 is an email from SSBA Administrative Paralegal, sent on behalf of SSBA Solicitor. Email is sent to a Government of Saskatchewan employee and copies a Regina Public Schools employee and the SSBA Solicitor A. The attached documents are letters relating to a legal matter that the SSBA Solicitor A is representing Regina Public Schools.
- Record 138 is an email from SSBA Administrative Paralegal, sent on behalf of SSBA Solicitor. Email is sent to a Government of Saskatchewan employee and

copies a Regina Public Schools employee and the SSBA Solicitor A. The attached document is a letter relating to the same legal matter as record 137 and the SSBA Solicitor is representing Regina Public Schools.

- Record 139 is an email from the SSBA Solicitor A to a Regina Public Schools employee sharing a draft of a letter relating to the same legal matter as records 137 and 138.
- Record 143 is an email thread and attachment. The initial email is from a Government of Saskatchewan website to the SSBA Solicitor A and another Government of Saskatchewan employee relating to a legal matter where the SSBA Solicitor is representing Regina Public Schools. The response is from the SSBA Solicitor to two Regina Public Schools employees. The email is in relation to an attached document relating to the legal matter.
- Record 144 is an email thread. The initial email is between a Government of Saskatchewan employee and the SSBA Solicitor A. The response is from the SSBA Solicitor to a Regina Public Schools employee sharing information about the legal matter.
- Record 145 is an email thread and attachment. The initial email is between a Regina Public Schools employee and the SSBA Solicitor A looking for the solicitor to provide language for a letter on a specific topic, a response from the SSBA Solicitor A to two Regina Public Schools employees, including references to relevant court decisions and a letter drafted in response to a concern a parent submitted in relation to their child. The last email in the thread is between two Regina Public Schools employees looking for an opinion about the advice provided.
- Record 146 is an email thread. The initial email is between three Regina Public Schools employees and two SSBA employees, Legal Counsel A and Director, Legal Services seeking legal opinions on clauses in agreements. In response, the SSBA Legal Counsel A provided their interpretation and legal advice on these topics. One of the Regina Public Schools employee acknowledged the response, then the SSBA Legal Counsel A advised the Director, Legal Services would be providing their legal opinion on this matter as well. The Director, Legal Services then provided their legal opinion on this matter. The last email in the thread was between Regina Public Schools employees making an observation about the advice provided.
- Records 147 and 148 are the same email thread and attachments. The initial email is from Regina Public Schools to Solicitor A with SSBA seeking advice on a topic. The SSBA Solicitor A gave a preliminary response and some information for consideration and arranging a time to further discuss and a response from the Regina Public Schools employee, copying another Regina Public Schools employee arranging a time to discuss the matter, and a final email re-sending an

attachment that was missed earlier in the thread providing copies of agreements they are seeking advice on.

- Record 149 is an email thread between three Regina Public Schools employees. The initial email is a summary of the legal advice verbally provided by SSBA Solicitor A on the topic and the responses are discussing the advice. The last email is the thread being forwarded to another Regina Public Schools employee.
- Record 153 is an email thread with an attachment. The initial email is from SSBA's Solicitor A to two Regina Public Schools employees. This email was then forwarded to another Regina Public Schools employee. The attachment is a draft letter that SSBA Solicitor A is sending on a matter where they are representing Regina Public Schools.
- Record 154 is an email thread and attachments. The initial email is the same as the email in record 153. The responses between a Regina Public Schools employee and the SSBA Solicitor A relate to the review of the draft letter. The SSBA Solicitor then forwards the final letter and another attachment related to the matter to another Regina Public Schools employee. This is then forwarded to two other Regina Public Schools employees.
- Record 155 is an email thread that includes many of the emails in record 154, and a response from SSBA Solicitor A of future steps related to this matter that is forwarded to two other Regina Public Schools employees that highlight two points that they need to be aware of for this matter.
- Record 156 is an email thread that includes many of the emails in record 154, and a response from SSBA Solicitor A ensuring the Regina Public Schools employee is aware of certain information related to this matter. This is then forwarded to two other Regina Public Schools employees.
- Record 157 is an email thread. The initial email is from a parent to a Regina Public Schools employee addressing to a matter than their lawyer was in contact with SSBA Solicitor A regarding. This was forwarded to another Regina Public Schools employee and SSBA Solicitor A. SSBA Solicitor A responded advising of a discussion with the parent's lawyer, and advice on how to address the matter. This was then forwarded to two other Regina Public Schools employees.
- Record 158 is an email thread. The initial email is from a parent to Regina Public Schools' general information email requesting access to records. This was then forwarded to two other Regina Public Schools employees and forwarded to SSBA Solicitor B (formerly SSBA Legal Counsel A) and Director, Legal Services. SSBA's Solicitor B provided guidance on processing the request. The Regina Public Schools employee posed questions relating to the request and SSBA Solicitor B responded to those questions. This was then forwarded to three other Regina Public Schools employees.

- Record 159 is an email thread. The initial email is between SSBA Solicitor A and legal counsel for a parent sharing a link to a resource available online. The parent's legal counsel acknowledged the email. SSBA Solicitor A forwards this and advises of a conversation with the parent's legal counsel regarding a matter where they are representing Regina Public Schools. This was then forwarded to three other Regina Public Schools employees.
- Record 160 is an email thread and attachments. The email is sent by a lawyer from an external law firm to two Regina Public Schools employees relating to a matter they appear to be representing Regina Public Schools. There are responses between the parties updating them on where things are at in the matter. These communications and attachments relating to the matter are forwarded to two other Regina Public Schools employees.
- Record 162 is an email thread and attachments. The initial email is from a Government of Saskatchewan employee to SSBA Solicitor A relating to a legal matter involving Regina Public Schools. This was then forwarded to a Regina Public Schools employee. The attachments are documents relating to the legal matter.
- Record 163 is an email thread and attachments. The thread has the same emails and attachments as record 162. The last email is the only addition and is from SSBA Solicitor A forwarding the information to two Regina Public Schools employees and providing comments on their review of the attached documents.
- Record 166 is an email thread. The initial email is from a Government of Saskatchewan employee to SSBA Solicitor C. SSBA Solicitor C forwarded the email to a Regina Public Schools employee advising of the discussion relating to the legal matter involving Regina Public Schools. This email was then forwarded to two other Regina Public Schools employees.
- Record 167 is an email thread and attachment. The initial email is from a parent to a Regina Public Schools employee forwarding forms relating to their children. This email was forwarded to a Regina Public Schools employee that was then forwarded to SSBA Solicitor A. SSBA Solicitor A responded providing a draft letter for the parent in response to the forms submitted. This was then forwarded to three other Regina Public Schools employees.
- Record 169 is an email thread containing the same emails as record 159. Record 159 has one other response that was not included in record 169.
- Records 176 to 180 are email threads relating to the same matter as record 175 and contain many of the same emails. The initial email in all of these records is the same email from a Government of Saskatchewan employee to SSBA Solicitor C arranging a time to discuss a legal matter. SSBA Solicitor C then forwards this

email to a Regina Public Schools employee. The emails in these email threads then discuss the matter internally between three Regina Public Schools employees.

- Records 181 to 183 are email threads. These email threads contain the same emails as some of those in the email thread in record 146.
- Record 186 is an email thread. Contains the same emails as those in the email thread in record 146. There is one more response in this thread that is between the three Regina Public Schools employees making a comment about the email from SSBA.
- Record 187 is an email thread and attachment. It contains the same emails as those in record 147. The attachment is a document relating to the matter being discussed in the email.
- Record 189 is an email thread. The initial email is from a Regina Public Schools employee to SSBA Legal Counsel A, copying two other Regina Public Schools employees. The email poses a number of questions that they are seeking advice on related to a specific topic. SSBA Legal Counsel A responded to the questions posed providing legal advice.
- Record 190 is an email thread. The initial email is the same as record 189. The responses discuss the questions posed and copying the SSBA Director, Legal Services on the response.
- Record 191 is an email thread. The initial email is from a Regina Public Schools employee to the SSBA Director, Legal Services and SSBA Legal Counsel A, copying two other Regina Public Schools employees. The email is in relation to the same matter as records 190 and 191. Following up from a telephone conversation on this, additional questions are posed where they are seeking a legal opinion. The SSBA Legal Counsel A responded to the questions providing their interpretation and legal advice on the matter.
- Record 192 is an email thread. The email thread contains the same emails as record 190.
- Records 194 to 197 are email threads. All of the emails in these email threads are the same emails that are included in record 149.
- Record 199 is an email thread. It contains some of the same emails as found at record 157.
- Record 200 is an email thread. It contains some of the same emails as found at record 157. There is one other response from a Regina Public Schools employee to SSBA Solicitor A that is not in record 157.

- Record 201 is an email thread. Regina Public Schools shares a document with SSBA's Administrative Paralegal seeking legal interpretation and advice. In response, the Director, Legal Services, responded to the email, copying Solicitor B providing initial thoughts and that it would be further discussed amongst the legal team and respond accordingly. This is then forwarded to two other Regina Public Schools employees.
- Records 202 to 204 are emails threads and attachments. The emails threads are from a lawyer with an external law firm that is representing various parties (SSBA and Regina Public Schools). The emails include Regina Public Schools employees and SSBA employees. The emails provide updates on where the matter is at and provides direction to individuals regarding contact with the plaintiff.
- Records 205 to 208 are email threads. Record 208 has an attachment. These email threads and the attachment are between the external law firm's lawyer, legal assistant and Regina Public Schools employees discussing options related to the same legal matter as records 202 to 204.
- Record 212 is an email thread and attachments. The emails and attachments in this record are also found in record 162. This record contains one other email forwarding the details to two other Regina Public Schools employees.

[71] As records 137 to 139, 143 to 149, 153 to 160, 162, 163, 166, 167, 169, 176 to 183, 186, 187, 189 to 197, 199 to 208 and 212 meet the first and second parts of the tests. I will consider the third part of the test for these records.

**3. *Did the parties intend for the communication to be treated confidentially?***

[72] Page 230 of the *Guide to LA FOIP* states that there must be an expectation on the part of the local authority that the communication will be confidential. "Not every aspect of relations between a lawyer and a client is necessarily confidential." Conduct which is inconsistent with an expectation of confidentiality can constitute a waiver of privilege. As a general rule, the client (usually a local authority) must not have disclosed the legal advice (either verbally or in writing) to parties outside of the solicitor-client relationship.

[73] For the third part of the test, Regina Public Schools did not provide details about the confidentiality of the records to demonstrate the records were intended to be treated confidentially. However, based on the topics discussed in the records described above, it would be reasonable to conclude that Regina Public Schools intended these records to be

treated as confidential, or that confidentiality is implicit. Therefore, the third part of the test is met for the records outlined in the preceding paragraph.

[74] I find, therefore, that Regina Public Schools properly applied subsection 21(a) of LA FOIP to records 137 to 139, 143 to 149, 153 to 160, 162, 163, 166, 167, 169, 176 to 183, 186, 187, 189 to 197, 199 to 208 and 212. I recommend that Regina Public Schools continue to withhold these records pursuant to subsection 21(a) of LA FOIP. See the Appendix.

#### **4. Did Regina Public Schools properly apply subsection 16(1) of LA FOIP?**

[75] Regina Public Schools withheld records 128 to 133 in full. This totals 240 pages. The index states that the exemption applied is “s.16 advice from officials to the board.” Regina Public Schools did not provide any other explanation for the application of this exemption. Section 16(1) of LA FOIP states as follows:

**16(1)** Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

(a) advice, proposals, recommendations, analyses or policy options developed by or for the local authority;

(b) consultations or deliberations involving officers or employees of the local authority;

(c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the local authority, or considerations that relate to those negotiations;

(d) plans that relate to the management of personnel or the administration of the local authority and that have not yet been implemented; or

(e) information, including the proposed plans, policies or projects of the local authority, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision.

[76] Regina Public Schools submission and index did not provide any other details of the application of this exemption. Subsection 16(1)(a) of LA FOIP is the only provision that relates to advice; therefore, this is the provision I will consider. As set out in my office’s

*Guide to LA FOIP*, Ch. 4 at pages 107 to 110, my office uses the following two-part test to determine if subsection 16(1)(a) of LA FOIP applies:

1. Does the information qualify as advice, proposals, recommendations, analyses, or policy options?
2. Was the advice, proposals, recommendations, analyses and/or policy options developed by or for the local authority?

[77] In its index, Regina Public Schools states that these records are “advice from officials to the Board.” Pages 107 and 108 of the *Guide to LA FOIP*, Ch. 4, define advice as follows:

- “Advice” is guidance offered by one person to another. It can include the analysis of a situation or issue that may require action and the presentation of options for future action, but not the presentation of facts. Advice encompasses material that permits the drawing of inferences with respect to a suggested course of action, but which does not itself make a specific recommendation. It can be an implied recommendation. The “pros and cons” of various options also qualify as advice. It should not be given a restricted meaning. Rather, it should be interpreted to include an opinion that involves exercising judgement and skill in weighing the significance of fact. It includes expert opinion on matters of fact on which a local authority must make a decision for future action.

Advice includes the views or opinions of a public servant as to the range of policy options to be considered by the decision maker even if they do not include a specific recommendation on which option to take.

Advice has a broader meaning than recommendations. The legislative intention was for advice to have a distinct meaning from recommendations. Otherwise, it would be redundant. While “recommendation” is an express suggestion, “advice” is simply an implied recommendation.

[78] In [Review Report 301-2023](#) at paragraph [18], my office provided the following regarding the term “could reasonably be expected to” in the equivalent provision subsection 17(1)(a) *The Freedom of Information and Protection of Privacy Act* (FOIP):

[18] Subsection 17(1)(a) of FOIP uses the term “could reasonably be expected to”. The meaning of the phrase “could reasonably be expected to” in terms of harm-based exemptions was considered by the Supreme Court of Canada in [Ontario \(Community Safety and Correctional Service\) v. Ontario \(Information and Privacy Commissioner\), \(2014\)](#). Although section 17 of FOIP is not a harms-based provision, the threshold provided by the Court for “could reasonably be expected to” is instructive:



This Court in *Merck Frosst* adopted the “reasonable expectation of probable harm” formulation and it should be used wherever the “could reasonably be expected to” language is used in access to information statutes. As the Court in *Merck Frosst* emphasized, the statute tries to mark out a middle ground between that which is probable and that which is merely possible. An institution must provide evidence “well beyond” or “considerably above” a mere possibility of harm in order to reach that middle ground: paras. 197 and 199. This inquiry of course is contextual and how much evidence and the quality of evidence needed to meet this standard will ultimately depend on the nature of the issue and “inherent probabilities or improbabilities or the seriousness of the allegations or consequences”...

[79] Regina Public Schools has indicated that the records were withheld in full as they contain “advice from officials to the board.” Regina Public Schools index and submission does not specify what parts of these records contain advice. Beyond stating that the records contain advice, it has not provided any arguments to support how the information at issue would qualify as advice.

[80] Regina Public Schools’ submission has not provided any arguments to support its position that these records contain advice or for the application of section 16 of FOIP. As set out in section 51 of LA FOIP, the burden of establishing that the exemption applied in the context of a review by my office lies with the head of the local authority. Section 51 of LA FOIP states as follows:

**51** In any proceeding pursuant to this Act, the burden of establishing that access to the record applied for may or must be refused or granted is on the head concerned.

[81] Regina Public Schools also applied this exemption to withhold the 240 pages in full. Local authorities need to be deliberate in how they apply their exemptions, taking a line-by-line approach, which is required by section 8 of LA FOIP which provides:

**8** Where a record contains information to which an applicant is refused access, the head shall give access to as much of the record as can reasonably be severed without disclosing the information to which the applicant is refused access.

[82] I find that Regina Public Schools has not met the burden of proof pursuant to section 51 of LA FOIP in demonstrating that section 16(1) of LA FOIP applies to records 128 to 133. While Regina Public Schools has not applied any other exemptions to these records, I note

that records 128 and 129 contain a photo of students at a specific school. Both records contain the same photo. I will consider subsection 28(1) of LA FOIP to the photos in records 128 and 129 later in this Report. As Regina Public Schools has not applied any other exemptions to records 130 to 133, I recommend that it release these records to the Applicant within 30 days of issuance of this Report. See the Appendix.

**5. Did Regina Public Schools properly apply subsection 17(1)(d) of LA FOIP?**

[83] Regina Public Schools applied subsection 17(1)(d) of LA FOIP to portions of records 234 and 239, totaling 15 pages. In both records 234 and 239, the redacted portion at issue is a code used for over-the-phone interpretation. Regina Public Schools also withheld the name of a student whose family required an interpreter for a meeting in record 239.

[84] Subsection 17(1)(d) of LA FOIP provides:

**17(1)** Subject to subsection (3), a head may refuse to give access to a record that could reasonably be expected to disclose:

...

(d) information, the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of the local authority;

[85] The *Guide to LA FOIP*, Ch. 4 at pages 151 and 152, outlines the following two-part test to determine if subsection 17(1)(d) of LA FOIP applies:

1. Are there contractual or other negotiations occurring involving the local authority?
2. Could release of the record reasonably be expected to interfere with the contractual or other negotiations?

[86] In its index, Regina Public Schools states that the release of the redacted information “could interfere with contractual interests of the local authority.” Page 151 of the *Guide to LA FOIP*, Ch. 4, defines a negotiation as follows:

- A “negotiation” is a consensual bargaining process in which the parties attempt to reach agreement on a disputed or potentially disputed matter. It can also be defined

as dealings conducted between two or more parties for the purpose of reaching an understanding. It connotes a more robust relationship than “consultation”. It signifies a measure of bargaining power and a process of back-and-forth, give-and-take discussion.

[87] Page 152 of the *Guide to LA FOIP*, Ch. 4, states that, “local authorities should detail what negotiations are occurring and what parties are involved.” Regina Public Schools has not described any negotiations or what they entail, or if any such negotiations are current/ongoing. From a review of both records, it does not appear that the withheld information pertains to negotiations; there is just a code to access a service for a fee and a name of an individual.

[88] Given the lack of supporting information from Regina Public Schools, I find that it has not met the burden of proof pursuant to section 51 of LA FOIP in demonstrating that subsection 17(1)(d) of LA FOIP applies. Regina Public Schools did not apply any other exemptions to these records; however, I will consider the application of subsection 28(1) of LA FOIP to the name withheld in record 239 later in this Report. I recommend that Regina Public Schools release the code withheld on records 234 and 239 to the Applicant within 30 days of issuance of this Report. See the Appendix.

## 6. Did Regina Public Schools properly apply subsection 18(1)(b) of LA FOIP?

[89] Regina Public Schools identified LEADS as a third party. LEADS would qualify as a third party pursuant to subsection 2(1)(k) of LA FOIP which provides:

2(1) In this Act:

...

(k) “**third party**” means a person, including an unincorporated entity, other than an applicant or a local authority.

[90] Regina Public Schools applied subsection 18(1)(b) of LA FOIP to portions of record 477. Initially, Regina Public Schools withheld pages 1 to 3 in part and pages 4 to 25 and 76 to 83 in full. After this review commenced, Regina Public Schools notified LEADS of the review and the record at issue. LEADS responded stating it did not object to the release of

the records, however expressed concern with the release of a link to a shared folder as follows:

...our organization has no objection to full disclosure of the document dated June 6, 2024... we do not object to release of this document. However, within item #5 there is a live link whereby our members can access a shared folder. This shared folder includes various member related information and is live if the email is forwarded as is. We respectfully request that the link either be redacted or that the document be printed and scanned for distribution, which would ensure that the member link for the shared folder is not accessible.

[91] On December 2, 2024, Regina Public Schools released record 477 to the Applicant, redacting only the name of the hyperlinked shared folder on page 2 of the record. Therefore, I will only consider the application of subsection 18(1)(b) of LA FOIP to this portion of the record.

[92] Subsection 18(1)(b) of LA FOIP provides:

**18(1)** Subject to Part V and this section, a head shall refuse to give access to a record that contains:

...

(b) financial, commercial, scientific, technical or labour relations information that is supplied in confidence, implicitly or explicitly, to the local authority by a third party;

[93] As set out in my office's *Guide to LA FOIP*, Ch. 4 at pages 174 to 178, my office uses the following three-part test to determine if subsection 18(1)(b) of LA FOIP applies:

1. Is the information financial, commercial, scientific, technical, or labour relations information of a third party?
2. Was the information supplied by the third party to a local authority?
3. Was the information supplied in confidence implicitly or explicitly?

[94] Regina Public Schools has not provided arguments for how the name of the folder or how accessing the documents in the folder, using the hyperlink, would qualify as financial, commercial, scientific, technical or labour relations information. Given the lack of

supporting information from Regina Public Schools, I find that it has not met the burden of proof pursuant to section 51 of LA FOIP and has not demonstrated that subsection 18(1)(b) of LA FOIP applies to the hyperlink on record 477. As Regina Public Schools has not applied any other exemptions to the hyperlink on record 477, I recommend that Regina Public Schools release this portion of the record within 30 days of issuance of this Report. See the Appendix.

**7. Did Regina Public Schools properly apply subsection 28(1) of LA FOIP?**

[95] Regina Public Schools applied subsection 28(1) of LA FOIP to portions of 238 records (records 1 to 6, 8 to 24, 27, 28, 38 to 44, 48 to 64, 66 to 96, 214 to 233, 235 to 238, 240 to 255, 376 to 415, 461, 463 to 476, 478 to 540). This involves 7,225 pages.

[96] Section 28 of LA FOIP prohibits the disclosure of personal information of individuals other than the requester unless the individual about whom the information pertains consents to its disclosure or if disclosure without consent is authorized by one of the enumerated exceptions in subsection 28(2) or section 29 of LA FOIP (*Guide to LA FOIP*, Chapter 6, “Protection of Privacy”, updated February 27, 2023 [*Guide to LA FOIP*, Ch. 6], p. 163).

[97] Subsection 28(1) of LA FOIP provides:

**28(1)** No local authority shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 29.

[98] When deciding if subsection 28(1) of LA FOIP was properly applied, I must first determine if the withheld information about other individuals qualifies as their personal information pursuant to subsection 23(1) of LA FOIP. In its index, Regina Public Schools indicated that subsection 28(1) of LA FOIP applies as the information at question is the personal information of a community member, member of the public, student, parent or employee. In its index and submissions, it does not further indicate how the information qualifies as personal information. Subsection 23(1) of LA FOIP provides:

**23(1)** Subject to subsections (1.1) and (2), “personal information” means personal information about an identifiable individual that is recorded in any form, and includes:

- (a) information that relates to the race, creed, religion, colour, sex, sexual orientation, family status or marital status, disability, age, nationality, ancestry or place of origin of the individual;
- (b) information that relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) information that relates to health care that has been received by the individual or to the health history of the individual;
- (d) any identifying number, symbol or other particular assigned to the individual;
- (e) the home or business address, home or business telephone number, fingerprints or blood type of the individual;
- (f) the personal opinions or views of the individual except where they are about another individual;
- (g) correspondence sent to a local authority by the individual that is implicitly or explicitly of a private or confidential nature, and replies to the correspondence that would reveal the content of the original correspondence, except where the correspondence contains the views or opinions of the individual with respect to another individual;
- (h) the views or opinions of another individual with respect to the individual;
- (i) information that was obtained on a tax return or gathered for the purpose of collecting a tax;
- (j) information that describes an individual’s finances, assets, liabilities, net worth, bank balance, financial history or activities or credit worthiness; or
- (k) the name of the individual where:
  - (i) it appears with other personal information that relates to the individual; or
  - (ii) the disclosure of the name itself would reveal personal information about the individual.

[99] Subsection 23(1) of LA FOIP states that to qualify as personal information, the information must be about an identifiable individual and be personal in nature. It also provides a list of

examples of information that would qualify as personal information, although the list provided for at subsection 23(1) of LA FOIP is not exhaustive.

[100] My office's *Guide to LA FOIP*, Ch. 6 at page 39, states that information is about an "identifiable individual" if:

- the individual can be identified from the information (e.g., name, where they live); or
- the information, when combined with information otherwise available, could reasonably be expected to allow the individual to be identified.

[101] The *Guide to LA FOIP*, Ch. 6, at pages 40 and 41, includes the following definitions:

- "Identifiable" means that it must be reasonable to expect that an individual may be identified if the information were disclosed. The information must reasonably be capable of identifying particular individuals because it either directly identifies a person or enables an accurate inference to be made as to their identity when combined with other available sources of information (data linking) or due to the context of the information in the record.
- "Personal in nature" requires that the information reveal something personal about the identifiable individual.
- "Personal" means of, affecting or belonging to a particular person; of or concerning a person's private rather than professional life.

Therefore, information that relates to an individual in a professional, official, or business capacity could only qualify if the information revealed something personal about the individual for example, information that fits the definition of employment history.

### ***Business card information***

[102] In past reports, my office has found that "business card" information is not personal information (e.g., in my office's [Review Report 137-2024](#) at paragraph [40], [Review Report 053-2024](#) at paragraph [56] and [Review Report 333-2023](#) at paragraph [76]). Consistent with these findings, I find that portions of the following records contain business

card information, and that Regina Public Schools has not properly applied subsection 28(1) of LA FOIP to these portions:

- Record 24 – Email and attached letter – Regina Public Schools withheld the name of the sender in the email header, body of the email, name and telephone number in the closing of an email and the name, telephone number and email address in the closing of the attached letter. It appears the letter is from a number of individuals, only the name of the email sender was withheld, and in all instances, it appears they are acting in a professional capacity and the contact information is business contact information.
- Record 94 – Email thread – email address in the email header of the initial email. The name of the individual was released. It is unclear if the email addresses are personal email addresses or business email addresses. However, the context of the email is of a professional context. In past reports (e.g. [Review Report 022-2023, 028-2023](#), [Review Report 138-2021, 185-2021](#)), I have found that email addresses used in a business or professional capacity and context, are not personal information.
- Record 96 – Email thread and attachment – the email addresses of three individuals in the email headers have been withheld. It is unclear if the email addresses are personal email addresses or business email addresses. However, the context of the email is of a professional context. As noted above, email addresses that are used in a business or professional capacity and context, are not personal information.
- Records 241 and 242 – Email threads – In the email header the name and email address of an individual that would be providing Arabic interpretation for a meeting is withheld. In the body of the emails, the name and telephone number of the individual is also withheld. Upon review, they appear to be acting in a professional capacity. As the information relates to services the individual will be rendering in a professional capacity, it would be considered business card information.
- Record 246 – Email thread booking interpreters for student teacher conferences. The names and email addresses of the interpreters are withheld in the email header. In the body of the email, the name and telephone number for the individuals scheduled to provide interpretation services is withheld. Appears to relate to the individual in professional capacity, therefore the language they speak would not be information that is personal in nature in this instance. In addition, their email address and phone number appears to be used for booking these services and therefore would be considered business card information.
- Records 387, 388, 399 to 402, 404 to 406 and 409 to 411 – email thread and attachments. Portions of the attachments withheld a phone number that someone could text regarding questions about the lesson plan. While Regina Public Schools



has not specified if this is a business or personal phone number, as it is being used in professional capacity it does not qualify as personal information.

- Record 414 – Email to a teacher providing details on taking over a classroom. One of the redacted portions is the name of the teacher in the email header. This would identify the individual in a professional capacity and would not reveal any details that are personal in nature.

[103] As the information does not qualify as personal information and as Regina Public Schools has not applied any other exemptions, I recommend it release the portions of the records identified in the preceding paragraph to the Applicant within 30 days of the issuance of this Report. See the Appendix.

### *Absurd results*

[104] In past reports (e.g., paragraphs [42] to [44] of [Review Report 061-2024](#)), I have considered if it would be an absurd result to withhold information from an applicant where an applicant was either: 1) the one who provided the information; 2) was present when the information was given; and/or 3) would otherwise have knowledge of the information. Upon review, withholding the following records would lead to an absurd result:

- Record 494 – Email and attachment where the attachment was withheld in full. It appears the email and attachment were copied to the Applicant’s child as their email address is included in the header information. As the Applicant’s child was included in the email, it would be an absurd result to continue to withhold the attachment.
- Record 534 – These are school counsellor contact log notes outlining a call between the counsellor and the Applicant. The name of another student that was discussed was withheld. As the Applicant was part of the discussion, they would know the name and it would be an absurd result to withhold the name from them.

[105] As such, I find that Regina Public Schools has not properly applied subsection 28(1) of LA FOIP to these records. As Regina Public Schools has not applied any other exemptions, I recommend that Regina Public Schools release these records, in full, to the Applicant within 30 days of the issuance of this Report. See the Appendix.

*Names and contact information*

[106] Records in this section are single emails or email threads where more than one contains name and contact information. In many cases, the only information Regina Public Schools withheld is the name of the individual in the email header or footer and their email address. In other instances, Regina Public Schools withheld their name in the header; if you hover over the name, which is hyperlinked, the email address associated with the name is revealed. Based on this and a review of the records, I am satisfied that these portions of the records contain personal information as defined by subsection 23(1)(e) and (k)(i) of LA FOIP. Some examples include:

- Record 38 is an email and attachment. Regina Public Schools withheld the name of the individual in the email header and footer. The name of the individual in the email header contains a hyperlink that displays their personal email address. In the email, the individual appears to be expressing their personal opinions about a report that is attached. The information qualifies as personal information as defined by subsections 23(1)(e) and (k)(i) of LA FOIP.
- Record 40 is an email. Regina Public Schools withheld the name of the individual in the email header and footer. The name of the individual in the email header contains a hyperlink that displays their personal email address. In the email, the individual appears to be expressing their personal opinions about the Regina Public Schools vaccination policy. The individual's email address and the name of the individual appear with other personal information that relates to them, and so qualifies as personal information as defined by subsections 23(1)(e) and (k)(i) of LA FOIP.
- Record 49 is an email thread. Regina Public Schools only redacted portions of the initial email in the email thread. In this initial email, an individual submitted concerns about the non-wheelchair accessibility of a school. The other emails in the thread are internal and discuss the initial email. Regina Public Schools withheld the name and email address in the email header of the initial email and the name and telephone phone number of the individual in the email footer. These along with other information that appears about them would qualify as personal information as defined by subsections 23(1)(e) and (k)(i) of LA FOIP.
- Record 216 is an email and attachment. Regina Public Schools withheld the names of individuals in the email header that contain hyperlinks. The hyperlinks display the email addresses of parents/guardians of a specific class. These appear with other personal information about them and so would qualify as personal information as defined by subsections 23(1)(e) and (k)(i) of LA FOIP.

- Record 461 is an email and attachment. Regina Public Schools withheld the name of an individual in the body of the email. The email thread is between Regina Public Schools employees. The name of the individual is withheld where one of the employees asks if they had applied for a job that was posted. The name of the individual appears with other personal information that relates to them qualifies as personal information as defined by subsection 23(1)(k)(i) of LA FOIP.
- Record 519 is an email thread. Regina Public School withheld the names of students that were added or dropped from a roster. However, it released the name of one of the Applicant's children. The names of the remaining students appear with other information that is personal to them and so qualifies as personal information as defined by subsection 23(1)(k)(i) of LA FOIP.

[107] The records described above are some examples of the type of information that Regina Public Schools has withheld pursuant to subsection 28(1) of LA FOIP. Regina Public Schools has applied subsection 28(1) of LA FOIP to information in other records that would also qualify as personal information pursuant to subsections 23(1)(e) and (k)(i) of LA FOIP. As such, I find that Regina Public Schools properly applied subsection 28(1) of LA FOIP to the following records that contain names and contact information: 1, 3 to 5, 10 to 23, 27, 28, 38 to 44, 48 to 64, 66 to 77, 82 to 89, 91 to 93, 95, 137 to 139, 142 to 145, 153 to 156, 159, 162, 163, 166, 167, 169, 175 to 180, 198, 201 to 205, 212, 214 to 233, 235 to 240, 243, 245, 247 to 255, 376 to 379, 384 to 386, 389 to 398, 403 to 405, 407 to 415, 461, 463 to 476, 478 to 481, 495 to 497, 502, 519, 520, 533 and 538 to 540. I recommend that Regina Public Schools continue withholding this information pursuant to subsection 28(1) of LA FOIP. See the Appendix.

***Documents containing student/employee information***

[108] A number of records include emails and attachments that are records containing student or employee information. The information includes, but is not limited to, data such as names, grades, birthdates, behavioral concerns, class performance, language, professional conduct complaints, etc. This type of data would qualify as personal information pursuant to subsection 23(1) of LA FOIP. However, Regina Public Schools should also consider if any of the data could be released in a de-identified manner. Some examples include:

- Records 6 and 491 are an email and attachment. The attached report contains student data, such as names, student number, name of school and contact

information for parent/guardian. On page 2 of the report, there are details about the report generated and representing the overall results of the report. On each page there are also column headings. These would not contain any personal information and should be released to the Applicant. The report was withheld in full, with the exception of information pertaining to the Applicant's children and the Applicant's contact information (that were released on page 403 of the record). The tabular data in the report contains information pertaining to a different student in each row. This information would qualify as personal information as defined by subsection 23(1)(b) and (e) of LA FOIP. However, as noted, I also need to consider if there is data that could be released in a de-identified manner. Regina Public Schools should continue to withhold columns 1 to 3, 6 and 7, releasing the remaining columns from the report as there is not any identifiable information.

- Record 380 is an email thread and attachments. The email thread is on pages 1 and 2, the first attachment is on pages 3 to 13, and the second attachment is on pages 14 to 25. The second attachment was released in full, the remaining pages of the records were withheld in full. The record relates to a professional conduct complaint against a Regina Public Schools' employee so qualifies as personal information as defined by subsection 23(1)(b) of LA FOIP.
- Records 387, 388 and 399 to 402 are emails and attachments. Portions of the attachments were withheld. Regina Public Schools withheld information that would reveal the preferred pronouns of certain students. This information would qualify as personal information pursuant to subsection 23(1)(a) of LA FOIP.
- Record 482 is an Active Student Enrollment Report for a specific school with tabular data totaling 257 pages. On pages 75, 138 and 163 the report header and column names were released to the Applicant, along with the rows of data that contain details related to the Applicant's children. It would be an absurd result to withhold the report header and column names on the remaining pages of the report, and therefore, should be released. The rows of data containing data of the other students is personal information as defined by subsection 23(1)(b) and (e) of LA FOIP. The report relates to a specific school and is split out by grade. My office considered if this report could be released in a de-identified manner. The report includes the student number, full-name, address, gender, language, citizenship, and Country of Birth. Even if the names and contact information were withheld, personal information of the students could be revealed as the pool of students for each grade within the school would be small and the information could be re-identified. However, there are other portions of the report, that record the "Base Indicator" and "Program", as well as the enrollment summary for each grade and the summary on the last page of the record, page 257 that could be released.
- Record 509 is an email and attachment. The email was released in full. The attachment is a spreadsheet of tabular data that does not have any column headings. It appears the information includes names, identification number, a date, acronym for languages and countries. Regina Public Schools released the rows pertaining to the Applicant's children. The remaining information pertains to other students so

would qualify as personal information as defined by subsection 23(1)(b) of LA FOIP. However, as noted, I also need to consider if there is data that could be released in a de-identified manner. Regina Public Schools should continue to withhold columns 2 to 5 and 7 to 11, releasing the remaining columns from the report as there is not any identifiable information.

- Record 531 is an email and attachments. The email on pages 1 and 2 was released in full. There are two attachments, the first attachment is on pages 3 and 4 and was released in full. The second attachment is on pages 5 to 7 and is a report of tabular data of students, including details regarding names, student numbers, country and language that were withheld in part. On pages 5 and 6 of that attachment, Regina Public Schools released the report title and column titles, as well as the rows containing data pertaining to the Applicant's children. The remaining information pertains to other students so would qualify as personal information as defined by subsections 23(1)(b) and (e) of LA FOIP. However, as noted, I also need to consider if there is data that could be released in a de-identified manner. Pages 1 to 4 that were released to the Applicant contain details about the type of data in the report and the specifications for the report. The report on pages 5 and 6 contains details about the students English as an additional language level, home language, country of origin, resident type and country of birth. The report also includes the students full name, identification number, date of birth and personal contact information. Finally, it identifies the name of the student's school, their home room and grade level. Regina Public Schools should continue to withhold columns 2 to 5 and 7 to 11, releasing the remaining columns from the report as there is not any identifiable information. Regina Public Schools should release the first column of the report, the names of the schools. The release of any other columns of information in the report could allow for the re-identification that could reveal the identity of the individual and personal details of the students. On page 7, Regina Public Schools did not release the report header or column titles. The report contains data similar to that found in the report on pages 5 and 6 for one specific grade level. Regina Public School should release the report header, column titles and the information in column 5. The remaining columns of the report should continue to be withheld as it could allow for the re-identification of the information if other data elements were released.
- Record 532 is an email and attachment. The email was released in full. The attachment on pages 2 to 13 is a roster of students. Pages 2 to 5 and 7 to 13 were withheld in full. On page 6, Regina Public Schools released information regarding the Applicant's children and a column heading relating to an event they are registered to participate in. The remaining information pertains to other students and therefore, would qualify as personal information as defined by subsection 23(1)(b) of LA FOIP. However, as noted, I also need to consider if there is data that could be released in a de-identified manner. Regina Public Schools should continue to withhold the names of the students, releasing the remaining portions of the record as there would not be any identifiable information.

[109] Where I have recommended release of portions of records, as outlined in the above paragraph, Regina Public Schools should do so within 30 days of issuance of this Report. I find, Regina Public Schools has properly applied subsection 28(1) of LA FOIP to portions of the following records as they contain student or employee information as defined by subsection 23(1) of LA FOIP: 6, 79 to 81, 140, 141, 172, 175, 198, 206 to 211, 244, 380 to 383, 387, 388, 399 to 402, 482 to 493, 498 to 501, 503 to 518, 521 to 532, and 535 to 537. I recommend that Regina Public Schools continue to withhold those portions of the records pursuant to subsection 28(1) of LA FOIP. See the Appendix.

*Other types of personal information*

[110] As noted earlier, the majority of the records are emails. Some of the emails contain details that are personal in nature about an identifiable individual. Some examples include:

- Record 2 is an email thread. Regina Public Schools redacted two words from the body of the email that references the email sender's relation to another individual. The release of this information would reveal information about an individual's family status, which is personal information as defined by subsection 23(1)(a) of LA FOIP. Additionally, based on the details released in the email, the release of the relation to this other individual would release personal travel details of the individual, which is personal information pursuant to subsection 23(1) of LA FOIP.
- Records 8 and 78 are email threads. Regina Public Schools withheld one sentence and the portion of another sentence in the body of these emails. The information withheld identifies another individual and medical information regarding the individual. The name of the email sender is released, the release of details about the medical information of the individual named in the email would reveal the individual's family status and medical information of an individual, which is personal information as defined by subsections 23(1)(a) and (c) of LA FOIP.
- Record 90 is an email thread and attachment. Regina Public Schools withheld two words in the body of the email that reveals the email sender's relation to another individual. The release of this information would reveal information about an individual's family status, which is personal information as defined by subsection 23(1)(a) of LA FOIP. Additionally, based on the details released in the email, the release of the relation to this other individual would reveal personal details of that individual, including a club they are individual in. This would qualify as personal information pursuant to subsection 23(1) of LA FOIP.

[111] I find, therefore, Regina Public Schools properly applied subsection 28(1) of LA FOIP to records 2, 8, 9, 78, 90, 128 and 129. I recommend that Regina Public Schools continue withholding this information pursuant to subsection 28(1) of LA FOIP. See the Appendix.

#### **IV FINDINGS**

[112] I find that I have jurisdiction to conduct this review.

[113] I find that Regina Public Schools properly considered the information in records 7, 25, 26, 29 to 37, 45 to 47, 65, 97 to 127, 256 to 375, 416 to 460 and 462 as non-responsive to the Applicant's access to information request.

[114] I find that Regina Public Schools conducted a reasonable search for records.

[115] I find that Regina Public Schools properly applied subsection 21(a) of LA FOIP to some records, but not to others.

[116] I find that Regina Public Schools has not met the burden of proof pursuant to section 51 of LA FOIP in demonstrating that subsections 16(1), 17(1)(d), and 18(1)(b) of LA FOIP apply.

[117] I find that Regina Public Schools has properly applied subsection 28(1) of LA FOIP to some portions of the record, but not others.

#### **V RECOMMENDATIONS**

[118] I recommend that Regina Public Schools continue to withhold the information in records 7, 25, 26, 29 to 37, 45 to 47, 65, 97 to 127, 256 to 375, 416 to 460 and 462 as they are non-responsive to the Applicant's access to information request.

[119] I recommend that Regina Public Schools take no further action regarding the search for responsive records.

[120] I recommend that Regina Public Schools continue to withhold information as outlined in the Appendix of this Report.

[121] I recommend, within 30 days of the issuance of this Report, that Regina Public Schools release information as outlined in the Appendix of this Report.

Dated at Regina, in the Province of Saskatchewan, this 19th day of March, 2025.

Ronald J. Kruzeniski, K.C.  
A/Saskatchewan Information and Privacy  
Commissioner



Appendix

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
1	Email	28(1) of LA FOIP	Withheld in part	Withhold
2	Email	28(1) of LA FOIP	Withheld in part	Withhold
3	Email	28(1) of LA FOIP	Withheld in part	Withhold
4	Email	28(1) of LA FOIP	Withheld in part	Withhold
5	Email	28(1) of LA FOIP	Withheld in part	Withhold
6	Email	28(1) of LA FOIP	Withheld in part	Release report header, charts and column headings and the data recorded in columns 1 to 3, 6 and 7. Withhold remaining portions.
8	Email	28(1) of LA FOIP	Withheld in part	Withhold
9	Email	28(1) of LA FOIP	Withheld in part	Withhold
10	Email	28(1) of LA FOIP	Withheld in part	Withhold
11	Email	28(1) of LA FOIP	Withheld in part	Withhold
12	Email	28(1) of LA FOIP	Withheld in part	Withhold
13	Email	28(1) of LA FOIP	Withheld in part	Withhold
14	Email	28(1) of LA FOIP	Withheld in part	Withhold
15	Email	28(1) of LA FOIP	Withheld in part	Withhold
16	Email	28(1) of LA FOIP	Withheld in part	Withhold
17	Email	28(1) of LA FOIP	Withheld in part	Withhold
18	Email	28(1) of LA FOIP	Withheld in part	Withhold
19	Email	28(1) of LA FOIP	Withheld in part	Withhold
20	Email	28(1) of LA FOIP	Withheld in part	Withhold

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
21	Email	28(1) of LA FOIP	Withheld in part	Withhold
22	Email	28(1) of LA FOIP	Withheld in part	Withhold
23	Email	28(1) of LA FOIP	Withheld in part	Withhold
24	Email	28(1) of LA FOIP	Withheld in part	Release
27	Email	28(1) of LA FOIP	Withheld in part	Withhold
28	Email	28(1) of LA FOIP	Withheld in part	Withhold
38	Email	28(1) of LA FOIP	Withheld in part	Withhold
39	Email	28(1) of LA FOIP	Withheld in part	Withhold
40	Email	28(1) of LA FOIP	Withheld in part	Withhold
41	Email	28(1) of LA FOIP	Withheld in part	Withhold
42	Email	28(1) of LA FOIP	Withheld in part	Withhold
43	Email	28(1) of LA FOIP	Withheld in part	Withhold
44	Email	28(1) of LA FOIP	Withheld in part	Withhold
48	Email	28(1) of LA FOIP	Withheld in part	Withhold
49	Email	28(1) of LA FOIP	Withheld in part	Withhold
50	Email	28(1) of LA FOIP	Withheld in part	Withhold
51	Email	28(1) of LA FOIP	Withheld in part	Withhold
52	Email	28(1) of LA FOIP	Withheld in part	Withhold
53	Email	28(1) of LA FOIP	Withheld in part	Withhold
54	Email	28(1) of LA FOIP	Withheld in part	Withhold
55	Email	28(1) of LA FOIP	Withheld in part	Withhold

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
56	Email	28(1) of LA FOIP	Withheld in part	Withhold
57	Email	28(1) of LA FOIP	Withheld in part	Withhold
58	Email	28(1) of LA FOIP	Withheld in part	Withhold
59	Email	28(1) of LA FOIP	Withheld in part	Withhold
60	Email	28(1) of LA FOIP	Withheld in part	Withhold
61	Email	28(1) of LA FOIP	Withheld in part	Withhold
62	Email	28(1) of LA FOIP	Withheld in part	Withhold
63	Email	28(1) of LA FOIP	Withheld in part	Withhold
64	Email	28(1) of LA FOIP	Withheld in part	Withhold
66	Email	28(1) of LA FOIP	Withheld in part	Withhold
67	Email	28(1) of LA FOIP	Withheld in part	Withhold
68	Email	28(1) of LA FOIP	Withheld in part	Withhold
69	Email	28(1) of LA FOIP	Withheld in part	Withhold
70	Email	28(1) of LA FOIP	Withheld in part	Withhold
71	Email	28(1) of LA FOIP	Withheld in part	Withhold
72	Email	28(1) of LA FOIP	Withheld in part	Withhold
73	Email	28(1) of LA FOIP	Withheld in part	Withhold
74	Email	28(1) of LA FOIP	Withheld in part	Withhold
75	Email	28(1) of LA FOIP	Withheld in part	Withhold
76	Email	28(1) of LA FOIP	Withheld in part	Withhold
77	Email	28(1) of LA FOIP	Withheld in part	Withhold

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
78	Email	28(1) of LA FOIP	Withheld in part	Withhold
79	Email	28(1) of LA FOIP	Withheld in part	Withhold
80	Email	28(1) of LA FOIP	Withheld in part	Withhold
81	Email	28(1) of LA FOIP	Withheld in part	Withhold
82	Email	28(1) of LA FOIP	Withheld in part	Withhold
83	Email	28(1) of LA FOIP	Withheld in part	Withhold
84	Email	28(1) of LA FOIP	Withheld in part	Withhold
85	Email	28(1) of LA FOIP	Withheld in part	Withhold
86	Email	28(1) of LA FOIP	Withheld in part	Withhold
87	Email	28(1) of LA FOIP	Withheld in part	Withhold
88	Email	28(1) of LA FOIP	Withheld in part	Withhold
89	Email	28(1) of LA FOIP	Withheld in part	Withhold
90	Email	28(1) of LA FOIP	Withheld in part	Withhold
91	Email	28(1) of LA FOIP	Withheld in part	Withhold
92	Email	28(1) of LA FOIP	Withheld in part	Withhold
93	Email	28(1) of LA FOIP	Withheld in part	Withhold
94	Email	28(1) of LA FOIP	Withheld in part	Release
95	Email	28(1) of LA FOIP	Withheld in part	Withhold
96	Email	28(1) of LA FOIP	Withheld in part	Release
128	Email and attachments	16(1) of LA FOIP	Withheld in full	Withhold photo in attachment pursuant to subsection 28(1) of LA FOIP, release remaining portions

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
129	Email and attachments	16(1) of LA FOIP	Withheld in full	Withhold photo in attachment pursuant to subsections 28(1) of LA FOIP, release remaining portions
130	Email and attachments	16(1) of LA FOIP	Withheld in full	Release
131	Email and attachments	16(1) of LA FOIP	Withheld in full	Release
132	Email and attachments	16(1) of LA FOIP	Withheld in full	Release
133	Email and attachments	16(1) of LA FOIP	Withheld in full	Release
134	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
135	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
136	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
137	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of attachment and subject line. Withhold remaining portions.
138	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of attachment and subject line. Withhold remaining portions.
139	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of attachment and subject line. Withhold remaining portions.
140	Email and attachments	21(a) of LA FOIP	Withheld in full	Withhold the first five words in the body of the email pursuant to subsection 28(1) of LA FOIP. Release the remaining portions.
141	Email and attachments	21(a) of LA FOIP	Withheld in full	Withhold the initials at the end of the second sentence and the last seven words in the third

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
				sentence in the body of the email pursuant to subsection 28(1) of LA FOIP. Release the remaining portions.
142	Email and attachments	21(a) of LA FOIP	Withheld in full	Release, with the exception of the name in the name of attachment and subject line.
143	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of attachment and subject line. Withhold remaining portions.
144	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers, and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
145	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of the attachment. Withhold the remaining portions.
146	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
147	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
148	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
149	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
150	Email and attachments	21(a) of LA FOIP	Withheld in full	Release

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
151	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
152	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
153	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
154	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line and name of the attachment. Withhold the remaining portions.
155	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
156	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of the attachment. Withhold the remaining portions.
157	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
158	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
159	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
160	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
161	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
162	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line and name of the attachment. Withhold the remaining portions.
163	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line and name of the attachment. Withhold the remaining portions.
164	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
165	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
166	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
167	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the name of the attachment. Withhold the remaining portions.
168	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
169	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
170	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
171	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
172	Email and attachments	21(a) of LA FOIP	Withheld in full	Page 1, withhold the name of attachment in email header pursuant to subsection 28(1) of



<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
				LA FOIP. Release remaining portions. Pages 2 to 5, release the letter headers, the letter signature line, cc line and enclosure line. Withhold the remaining portions pursuant to subsection 28(1) of LA FOIP.
173	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
174	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
175	Email and attachments	21(a) of LA FOIP	Withheld in full	Withhold the name in the subject lines in the email thread and the first paragraph in the initial email of the email thread pursuant to subsection 28(1) of LA FOIP. Release remaining portions.
176	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
177	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
178	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
179	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
180	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
				subject line. Withhold the remaining portions.
181	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
182	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
183	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
184	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
185	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
186	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
187	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
188	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
189	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
190	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
191	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
192	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements.

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
				Withhold the remaining portions.
193	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
194	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
195	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
196	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
197	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
198	Email and attachments	21(a) of LA FOIP	Withheld in full	Withhold the name of individual in the subject lines in the email thread and the last three paragraphs in the body of the email on page 1 and the first two paragraphs on page 2 pursuant to subsection 28(1) of LA FOIP. Release remaining portions.
199	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
200	Email and attachments	21(a) of LA FOIP	Withheld in full	Release the headers, footers and confidentiality statements. Withhold the remaining portions.
201	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
202	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
203	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
204	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
205	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the subject line. Withhold the remaining portions.
206	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the subject line. Withhold the remaining portions.
207	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the subject line. Withhold the remaining portions.
208	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the subject line and the name of the attachment. Withhold the remaining portions.
209	Email and attachments	21(a) of LA FOIP	Withheld in full	Withhold the following portion pursuant to subsection 28(1) of LA FOIP: Initial email, withhold the name and email address of email sender in email header; in the body of the email, withhold

Record #	Description	LA FOIP Exemption Applied	Withheld in Full or in Part	Recommendation
				<p>sentence 4 in paragraph 2 and sentences 1 and 2 of paragraph 4; withhold the name, position and school of email sender in email signature line.</p> <p>Second email, withhold the name and email address of email recipient in email header; body of email, withhold the name in email greeting and paragraph 1.</p> <p>Third email, withhold the name and email address of email sender in email header; email signature line, withhold the name, position and school of email sender.</p> <p>Release remaining portions.</p>
210	Email and attachments	21(a) of LA FOIP	Withheld in full	<p>Withhold the following portion pursuant to subsection 28(1) of LA FOIP:</p> <p>Initial email, withhold the name and email address of email sender in email header; in the body of the email, withhold sentence 4 in paragraph 2 and sentences 1 and 2 of paragraph 4; withhold the name, position and school of email sender in email signature line.</p> <p>Second email, withhold the name and email address of email recipient in email header; body of email, withhold the name in email greeting and paragraph 1.</p> <p>Third email, withhold the name and email address of email sender in email header on page 2; body of email, on page 3 of the record, withhold line 17, line 20 withhold words 6 to 9, line 24 withhold words 3 to 7 ; email signature line on page 3 withhold the last sentence, email signature line on page 4</p>

Record #	Description	LA FOIP Exemption Applied	Withheld in Full or in Part	Recommendation
				<p>withhold the first three sentences.</p> <p>Fourth email, email header at bottom of page 1 withhold the name and email address of the email recipient; body of email on page 2 withhold the name of the individual in the email greeting.</p> <p>Fifth email, email header at top of page 1, withhold the name and email address of email sender; email signature line at bottom of page 1, withhold the name, position and school of email sender.</p> <p>Release remaining portions.</p>
211	Email and attachments	21(a) of LA FOIP	Withheld in full	<p>Withhold the following portion pursuant to subsection 28(1) of LA FOIP:</p> <p>Initial email, withhold the name and email address of email sender in email header; in the body of the email, withhold sentence 4 in paragraph 2 and sentences 1 and 2 of paragraph 4; withhold the name, position and school of email sender in email signature line.</p> <p>Second email, withhold the name and email address of email recipient in email header; body of email, withhold the name in email greeting and paragraph 1.</p> <p>Third email, withhold the name and email address of email sender in email header on page 2; body of email, on page 3 of the record, withhold line 17, line 20 withhold words 6 to 9, line 24 withhold words 3 to 7 ; email signature line on page 3 withhold the last sentence, email signature line on page 4</p>

Record #	Description	LA FOIP Exemption Applied	Withheld in Full or in Part	Recommendation
				withhold the first three sentences. Fourth email, email header at bottom of page 1 withhold the name and email address of the email recipient; body of email on page 2 withhold the name of the individual in the email greeting. Release remaining portions.
212	Email and attachments	21(a) of LA FOIP	Withheld in full	Release headers, footers and confidentiality statements, with the exception of the name in the subject line. Withhold the remaining portions.
213	Email and attachments	21(a) of LA FOIP	Withheld in full	Release
214	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
215	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
216	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
217	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
218	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
219	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
220	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
221	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
222	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
223	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
224	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
225	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
226	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
227	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
228	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
229	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
230	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
231	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
232	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
233	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
234	Email and attachments	17(1)(d) of LA FOIP	Withheld in part	Release
235	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
236	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
237	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
238	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
239	Email and attachments	17(1)(d) of LA FOIP	Withheld in part	Withhold name and initials of individual, release remaining portions
240	Email and attachments	28(1) of LA FOIP	Withheld in part	Release report header and column headings. Withhold remaining portions.
241	Email and attachments	28(1) of LA FOIP	Withheld in part	Release
242	Email and attachments	28(1) of LA FOIP	Withheld in part	Release
243	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
244	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold columns 1 to 3 on pages 2-15. Release remaining portions.
245	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
246	Email and attachments	28(1) of LA FOIP	Withheld in part	Release



<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
247	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
248	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
249	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
250	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
251	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
252	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
253	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
254	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
255	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
376	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
377	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
378	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
379	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
380	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
381	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
382	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
383	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
384	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
385	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
386	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
387	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
388	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
389	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
390	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
391	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
392	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
393	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
394	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
395	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
396	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
397	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
398	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
399	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
400	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
401	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
402	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
403	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
404	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
405	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
406	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
407	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
408	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.

<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
409	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
410	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
411	Email and attachments	28(1) of LA FOIP	Withheld in part	Release phone number. Withhold remaining portions.
412	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
413	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
414	Email and attachments	28(1) of LA FOIP	Withheld in part	Release name of individual in email header. Withhold remaining portions.
415	Email and attachments	28(1) of LA FOIP	Withheld in part	Withhold
461	Email	28(1) of LA FOIP	Withheld in part	Withhold
463	Email	28(1) of LA FOIP	Withheld in part	Withhold
464	Email	28(1) of LA FOIP	Withheld in part	Withhold
465	Email	28(1) of LA FOIP	Withheld in part	Withhold
466	Email	28(1) of LA FOIP	Withheld in part	Withhold
467	Email	28(1) of LA FOIP	Withheld in part	Withhold
468	Email	28(1) of LA FOIP	Withheld in part	Withhold
469	Email	28(1) of LA FOIP	Withheld in part	Withhold
470	Email	28(1) of LA FOIP	Withheld in part	Withhold
471	Email	28(1) of LA FOIP	Withheld in part	Withhold
472	Email	28(1) of LA FOIP	Withheld in part	Withhold
473	Email	28(1) of LA FOIP	Withheld in part	Withhold
474	Email	28(1) of LA FOIP	Withheld in part	Withhold
475	Email	28(1) of LA FOIP	Withheld in part	Withhold

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476	Email	28(1) of LA FOIP	Withheld in part	Withhold
477	Email and attachments	18(1)(b) of LA FOIP	Withheld in part	Release
478	Email	28(1) of LA FOIP	Withheld in part	Withhold
479	Email	28(1) of LA FOIP	Withheld in part	Withhold
480	Email	28(1) of LA FOIP	Withheld in part	Withhold
481	Email	28(1) of LA FOIP	Withheld in part	Withhold
482	Report	28(1) of LA FOIP	Withheld in part	Release the information recorded for “Base Indicator” and “Program”. Release the enrollment summary for each grade and the summary on page 257. Withhold remaining portions.
483	Document	28(1) of LA FOIP	Withheld in part	Withhold
484	Document	28(1) of LA FOIP	Withheld in part	Release report header and column titles. Withhold the data recorded in the table on pages 1 and 2. Withhold the student names on pages 3 to 68 and release remaining portions.
485	Document	28(1) of LA FOIP	Withheld in part	Release report header and column titles on pages 1, 491 and 981. Release the last column, withholding the remaining portions.
486	Email	28(1) of LA FOIP	Withheld in part	Release report header and column titles. Withhold remaining portions.
487	Email	28(1) of LA FOIP	Withheld in part	Withhold the names of students, release remaining portions.
488	Email	28(1) of LA FOIP	Withheld in part	Withhold the names of students, release remaining portions.
489	Email	28(1) of LA FOIP	Withheld in part	Withhold
490	Email	28(1) of LA FOIP	Withheld in part	Withhold

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491	Email	28(1) of LA FOIP	Withheld in part	Release report header, charts and column headings and the data recorded in columns 1 to 3, 6 and 7. Withhold remaining portions.
492	Document	28(1) of LA FOIP	Withheld in part	Release document title and first 5 paragraphs on page 1. Withhold remaining portions.
493	Document	28(1) of LA FOIP	Withheld in part	Release document title on page 1. Withhold remaining portions.
494	Email	28(1) of LA FOIP	Withheld in part	Release
495	Email	28(1) of LA FOIP	Withheld in part	Withhold
496	Email	28(1) of LA FOIP	Withheld in part	Withhold
497	Email	28(1) of LA FOIP	Withheld in part	Withhold
498	Email	28(1) of LA FOIP	Withheld in part	Withhold
499	Document	28(1) of LA FOIP	Withheld in part	Release report header and column titles. Withhold remaining portions.
500	Email	28(1) of LA FOIP	Withheld in part	Release report header and column titles. Withhold remaining portions.
501	Email	28(1) of LA FOIP	Withheld in part	Release report header and column titles. Withhold remaining portions.
502	Email	28(1) of LA FOIP	Withheld in part	Withhold
503	Email	28(1) of LA FOIP	Withheld in part	Withhold
504	Email	28(1) of LA FOIP	Withheld in part	Continue to withhold redacted portion of page 1. Pages 2-4 and 6-9 withhold the learning ID and names of students. Release remaining portions. Page 5 release the redacted portions.
505	Email	28(1) of LA FOIP	Withheld in part	Withhold
506	Email	28(1) of LA FOIP	Withheld in part	Withhold

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507	Email	28(1) of LA FOIP	Withheld in part	Withhold
508	Email	28(1) of LA FOIP	Withheld in part	Withhold
509	Email	28(1) of LA FOIP	Withheld in part	Continue to withhold columns 2 to 5 and 7 to 11 on pages 2 to 4. Release remaining portions.
510	Email	28(1) of LA FOIP	Withheld in part	Withhold
511	Email	28(1) of LA FOIP	Withheld in part	Release the last column. Withhold the remaining portions
512	Email	28(1) of LA FOIP	Withheld in part	Release the last column. Withhold the remaining portions
513	Email	28(1) of LA FOIP	Withheld in part	Withhold
514	Email	28(1) of LA FOIP	Withheld in part	Withhold
515	Email	28(1) of LA FOIP	Withheld in part	Withhold
516	Email	28(1) of LA FOIP	Withheld in part	On pages 3 and 4 withhold the names of the students, release remaining portions.
517	Email	28(1) of LA FOIP	Withheld in part	Release column headings. Withhold remaining portions.
518	Email	28(1) of LA FOIP	Withheld in part	Release column titles and rows containing data pertaining to the Applicant's children. Page 4 and 5 withhold data recorded in column 11, release remaining portions. Pages 6 to 384 withhold data recorded in columns 1 and 8 to 12. Release remaining portions. Page 385 release the report totals, withhold the remaining portions. Page 386 release column titles and last two columns. Withhold remaining portions. Page 387 release column titles and column 3. Withhold remaining portions.

Record #	Description	LA FOIP Exemption Applied	Withheld in Full or in Part	Recommendation
				Page 388 release column titles and last two columns. Withhold remaining portions. Page 389 release column titles and column 3. Withhold remaining portions. Page 390 release column titles and last two columns. Withhold remaining portions.
519	Email	28(1) of LA FOIP	Withheld in part	Withhold
520	Email	28(1) of LA FOIP	Withheld in part	Withhold
521	Email	28(1) of LA FOIP	Withheld in part	Release column headings. Withhold remaining portions.
522	Email	28(1) of LA FOIP	Withheld in part	Release information recorded under the "School Name" and "Message" columns of the partially redacted table. Continue to withhold the other portions.
523	Email	28(1) of LA FOIP	Withheld in part	Release information recorded under the "School Name" and "Message" columns of the partially redacted table. Continue to withhold the other portions.
524	Email	28(1) of LA FOIP	Withheld in part	Release the data recorded in the last two columns, withhold the remaining portions.
525	Email	28(1) of LA FOIP	Withheld in part	Release the data recorded in columns 4 to 7, withhold the remaining portions.
526	Email	28(1) of LA FOIP	Withheld in part	Release the column titles. Withhold the data recorded in columns 1 and 4. Release the remaining portions.
527	Email	28(1) of LA FOIP	Withheld in part	Release the column titles. Withhold the data recorded in columns 1 and 4. Release the remaining portions.
528	Email	28(1) of LA FOIP	Withheld in part	Release the column titles. Withhold the data recorded in

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				columns 1 and 4. Release the remaining portions.
529	Email	28(1) of LA FOIP	Withheld in part	Withhold
530	Email	28(1) of LA FOIP	Withheld in part	Withhold
531	Email	28(1) of LA FOIP	Withheld in part	Pages 5 and 6 release the column titles and column 1. Withhold the remaining portions. Page 7 release the report header, column titles and the data recorded under column 5. Withhold the remaining portions.
532	Email	28(1) of LA FOIP	Withheld in part	Withhold the names of students, release the remaining portions.
533	Email	28(1) of LA FOIP	Withheld in part	Withhold
534	Notes	28(1) of LA FOIP	Withheld in part	Release
535	Email	28(1) of LA FOIP	Withheld in part	Release information recorded under the "School Name" and "Message" columns of the partially redacted table. Continue to withhold the other portions.
536	Email	28(1) of LA FOIP	Withheld in part	Release information recorded under the "School Name" and "Message" columns of the partially redacted table. Continue to withhold the other portions.
537	Email	28(1) of LA FOIP	Withheld in part	Release information recorded under the "School Name" and "Message" columns of the partially redacted table. Continue to withhold the other portions.
538	Email	28(1) of LA FOIP	Withheld in part	Withhold
539	Email	28(1) of LA FOIP	Withheld in part	Withhold



<b>Record #</b>	<b>Description</b>	<b>LA FOIP Exemption Applied</b>	<b>Withheld in Full or in Part</b>	<b>Recommendation</b>
540	Email	28(1) of LA FOIP	Withheld in part	Withhold