

Notice of Indirect Collection of Enrolment Data reported by Ontario Universities and Colleges to the Ministry of Training, Colleges and Universities

October 2015

The Ministry of Training, Colleges and Universities (the “ministry” or “MTCU”) collects enrolment data on Ontario’s students, including personal information, from Ontario’s colleges and universities.

In particular, the ministry requires publicly-assisted:

- Colleges of applied arts and technology (hereafter referred to as “colleges”); and
- Universities and university-level institutions (hereafter referred to a “universities”)

to provide regular enrolment reports to the ministry.

Institutions federated or affiliated with colleges or universities may report their enrolments in funded programs as part of the reports of their parent institutions.

A list of reporting institutions can be found in the Frequently Asked Questions section.

One of the major sources of data provided to the ministry by publicly-assisted colleges and universities is regular reporting on student-level enrolment-related data on students attending postsecondary education in Ontario.

The ministry collects regular reports on enrolment and graduation from colleges and universities for purposes such as: ensuring the proper administration of and compliance with legislation in the scope of its responsibilities; planning, allocating and administering public funding to colleges, universities and other post-secondary educational and training institutions; planning or delivering post-secondary educational or training related programs or services, allocating resources to them, evaluating or monitoring them and detecting and preventing fraud and unauthorised receipt of services; monitoring and evaluating the quality, outcomes and delivery of post-secondary programs and services; implementing risk management, error management and activities to improve the quality of the programs and services; and planning and conducting research and analysis, including longitudinal studies and statistical activities, conducted by or on behalf of the ministry for purposes that relate to post-secondary education and training.

Colleges and universities and postsecondary agencies *directly* collect student enrolment information for their own purposes and are the official sources of such information.

Enrolment data is provided to the ministry by colleges and universities instead of directly from individuals and as such is called an “indirect” collection of information.

Ministry of Training, Colleges and Universities Collection of Personal Information in Enrolment Reporting

The ministry collects enrolment data at the student level from Ontario colleges and universities at predetermined points in time during the academic year through the ministry’s Postsecondary Financial Information System - Enrolment Data Collection system.

Enrolment reports provided to the ministry by each college and university contain data elements which contain personal information as defined in the Ontario's *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F13 (“FIPPA”). Personal information provided to the ministry, which includes an Ontario Education Number (“OEN”) for postsecondary students, is protected by the ministry in compliance with FIPPA.

The *Ministry of Training, Colleges and Universities Act*, R.S.O. 1990, c. M. 19 (the “MTCU Act”), provides authority to the Minister of Training, Colleges and Universities (the “Minister”) to directly or indirectly collect and use personal information for specific purposes as stated in Subsection 15(1) of the *MTCU Act* (listed on page 3).

The ministry collects data on student enrolment and characteristics from colleges and universities, including data in areas such as:

- a) the credentials students are pursuing (e.g. diplomas, degrees, certificates, graduate degrees);
- b) Ontario Education Numbers and institutional student identification numbers
- c) student biographical data (e.g. legal names, gender and date of birth);
- d) programs in which students are enrolled (e.g. Arts and Science, Engineering, Health)
- e) information on educational outcomes, such as year of study and graduation and enrolments between institutions
- f) types of students enrolled in Ontario’s postsecondary institutions (e.g. Canadian citizens, international students).
- g) data on student characteristics, such as gender, date of birth, language spoken, permanent residence, stage of current study, and full or part-time status;
- h) and other data that might be required from time-to-time to administer postsecondary policies and programs.

The required enrolment reporting from universities is defined in the Ontario Operating Funds Distribution Manual and the required data elements are defined in the PFIS-University and Statistical Enrolment Reporting (PFIS-USER) Guidelines Manual, as amended from time-to-time.

The required enrolment reporting from colleges is defined in the College Enrolment and Graduate Operating Procedure and the PFIS-College Statistical and Enrolment Reporting and Audit Guidelines (PFIS-CSER) Guidelines, as amended from time-to-time.

The ministry requires that enrolment reports be audited annually and reserves the right to verify any information provided by an institution.

To obtain a copy of either document, contact the Director, Postsecondary Finance and Information Management Branch, Ministry of Training, Colleges and Universities, 900 Bay Street, 7th Floor, Toronto ON, M7A 1L2 Phone: 416-325-1952.

Use of Information Collected by the Ministry of Training, Colleges and Universities

The Government of Ontario provides grants to universities and colleges to assist in the provision of publicly-assisted postsecondary education in Ontario. These grants, which are based primarily on enrolment data, when combined with student tuition contributions, are a major source of the funding used by colleges and universities to meet the cost of providing postsecondary programs, such as the costs of instruction and research, academic support services, libraries and administration. In addition, grants are provided to support a variety of government policy and program objectives.

The ministry requires the reporting of enrolment and graduation data to ensure the proper administration of the publicly-funded postsecondary education system in Ontario. Regular reports on enrolment are needed to administer government postsecondary funding, programs and policies, including planning, evaluation and monitoring activities.

Enrolment data is used to determine eligibility for grants provided to postsecondary institutions and/or students. Enrolment data reports support the determination by the ministry of the level, duration and eligibility for government funding and the total capacity of each institution to meet provincial enrolment demand.

Disclosure of Personal Information Collected by the Ministry of Training, Colleges and Universities

The Minister has authority to disclose personal information when required by law pursuant to paragraph (e) of subsection 42(1) of FIPPA:

- The Minister and the Minister of Education may disclose to and indirectly collect personal information from each other for the purposes of validating Ontario Education Numbers.
- The Minister and the Minister of Education and other ministers that may be prescribed by regulation under the *MTCU Act* may disclose to and indirectly collect personal information from each other for the purpose of conducting research and analysis including longitudinal studies and statistical activities relating to limited and prescribed postsecondary education and training matters.
- The Minister and the Minister of Education and the Government of Canada may disclose to and indirectly collect personal information from each other for the purposes of monitoring and evaluating the quality and outcomes and delivery of postsecondary education and training programs and services that are funded directly or indirectly, in whole or in part, by both the Government of Canada and the ministry to ensure accountability in the use of public funds and support for the continued allocation of funding for the programs and services.
- The ministry may disclose student-level enrolment and graduation related data it collects from the colleges and universities as required by Statistics Canada in accordance with the federal *Statistics Act*. This gives MTCU authority to disclose personal information in accordance with s. 42(1) (e) of the *Freedom of Information and Protection of Privacy Act*. Ontario's universities have chosen to meet their required reporting requirements to Statistics Canada's Postsecondary Student Information System (PSIS) through centralized reporting to MTCU. MTCU collects data elements it requires for its purposes using consistent data definitions with PSIS, wherever possible.
- Additionally, the Minister may disclose personal information where the person to whom the information relates has identified that information in particular and consented to its disclosure pursuant to paragraph (b) of subsection 42(1) of FIPPA.
- Students who have applied to an Ontario university through the Ontario University Application Centre ("OUAC") have given their written consent to allow the ministry, universities and OUAC to exchange the personal information provided on the application and registration information.
- Students who have applied to an Ontario college through the Ontario College Application Centre ("OCAS") have given their written consent to allow the ministry, colleges and OCAS to exchange the personal information provided on the application and registration information.

The Minister will not collect, use or disclose more personal information than is reasonably necessary to meet the purpose of collection. Additionally the Minister will

take steps to ensure personal information is protected from unnecessary disclosure, for example by entering into a data sharing agreement with recipients.

The ministry may conclude a data sharing agreement with external researchers to support its funding, planning and research activities. Data would normally be shared data in a depersonalized format. The process by which such personal information would be transferred, anonymized, and eventually destroyed would be set out in the data sharing agreement with external researchers.

Legal Basis to Collect Enrolment Reports and Personal Information

Enrolment reports to the ministry are collected under the authority of the *MTCU Act* and the *Ontario Colleges of Applied Arts and Technology Act, 2002*.

Subsection 15(1) of the *MTCU Act* provides authority to the Minister to directly or indirectly collect and use personal information for specific purposes.

“15. (1) The Minister may collect personal information, directly or indirectly, for purposes related to the following matters, and may use it for those purposes:

1. Administering this Act and the regulations, and such other Acts and regulations as are assigned to him or her by the provisions of the Acts or regulations or by the Lieutenant Governor in Council under the *Executive Council Act*, and implementing directives made under such legislation.
2. Ensuring compliance with the Acts identified in paragraph 1 and the regulations and directives made under such Acts.
3. Planning for, allocating and administering funding to colleges, universities and other post-secondary educational and training institutions and detecting, monitoring and preventing any unauthorized receipt of or use of the funding.
4. Planning or delivering post-secondary educational or training related programs or services that the ministry provides or funds, in whole or in part, allocating resources to any of them, evaluating or monitoring any of them or detecting, monitoring and preventing fraud and any unauthorized receipts of services or benefits related to such funding.
5. Monitoring and evaluating the quality, outcomes and delivery of post-secondary programs and services provided by colleges, universities and other post-secondary educational and training institutions to their students to ensure accountability for the use of public funds and support for the continued efficient allocation of funding to such institutions.
6. Implementing risk management, error management or activities to improve or maintain the quality of the programs and services that the Ministry provides or funds, in whole or in part.

7. Conduct research and analysis, including longitudinal studies, and statistical activities conducted by or on behalf of the ministry for purposes that relate to post-secondary education and training, including,

i. understanding the transition of students from secondary school to post-secondary education and training,

ii. understanding student participation and progress, mobility and learning and employment outcomes,

iii. understanding linkages among universities, colleges, secondary schools and other educational and training institutions prescribed by regulation,

iv. understanding trends in post-secondary education or training program choices made by students,

v. understanding sources and patterns of student financial resources, including financial assistance and supports provided by government and post-secondary educational and training institutions,

vi. planning to enhance the affordability and accessibility of post-secondary education and training and the quality and effectiveness of the post-secondary sector,

vii. identifying conditions or barriers that inhibit student participation, progress, completion and transition to employment or future post-secondary educational or training opportunities, and

viii. developing key performance indicators.

Pursuant to paragraph 6 of subsection 15(6) of the *MTCU Act* the Minister may require the Ontario College Application Services and the Ontario University Application Centre to disclose such personal information as is reasonably necessary for the purposes described in subsection 15(1) of the *MTCU Act*.

Legal Basis to Collect, Use and Disclose Ontario Education Numbers and associated Personal Information

Section 16 of the *MTCU Act* concerns the assignment, collection, use and disclosure of personal information related to the OEN.

The *MTCU Act* provides colleges and universities¹ with the authority to collect, use or disclose or require the production of a person's OEN for purposes related to the

¹ Or other post-secondary educational and training institutions or persons or entities prescribed by a regulation made under the *MTCU Act*.

provision of post-secondary education and training to that person (MTCU Act subsection 16(6)).

The *MTCU Act* also provides that the Minister, colleges and universities¹ may collect, use or disclose or require the production of the OEN for purposes related to post-secondary educational and training administration, funding, planning or research and for purposes related to the provision of financial assistance associated with the person's post-secondary education and training (*MTCU Act* subsection 16(7)).

The MTCU Act also provides authority to the Minister to collect personal information, directly or indirectly, and to use and disclose personal information, for the purposes of assigning OEN and validating and updating the numbers and the personal information associated with them (*MTCU Act* subsection 16(1)). Colleges and universities have the same authority by virtue of being prescribed entities under subsection 266.2(2) of the *Education Act*.

All colleges of applied arts and technology, and all universities that receive regular and ongoing operating funding from the Province of Ontario for the purpose of post-secondary education, as well as the federated and affiliated colleges and universities of those institutions have the authority under subsection 266.3(2) of the *Education Act* to collect, use, disclose or require the production of a person's OEN for purposes related to the provision of educational services.

It is an offence to collect, use or disclose or require the production of another person's OEN except as permitted by section 16 of the MTCU Act, by the *Education Act* or otherwise by law.

Privacy and Security of Personal Information

MTCU is committed to protecting privacy generally and specifically in relation to personal information included in the enrolment data collected from each college and university.

Under the *MTCU Act*, the Minister will not collect or use personal information if other information will serve the purpose of the collection or use, or collect or use more personal information than is reasonably necessary to meet the purpose of the collection or use.

With regard to the personal information it collects, the ministry is bound by privacy protection rules under FIPPA and takes all necessary steps including depersonalization of data for analysis and adoption of physical, technical and administrative safeguards for protection of personal information.

Personal information in the enrolment reports is collected by and reported to, the Postsecondary Finance and Information Management Branch of the ministry. Enrolment data included in the secure enrolment system is accessed only by authorized ministry officials in order to carry out their administrative responsibilities. Only a

restricted number of authorized ministry officials have access to the personal information in the enrolment reports from each university or college.

MTCU retains electronic version(s) of current and historical enrolment and graduation data in accordance with the Government of Ontario's records retention policy and maintains administrative, technical and physical safeguards in an effort to protect against unauthorized access, use, modification and disclosure of personal information.

The ministry requires reported data to contain student identification numbers, a correct and valid OEN, and other limited personal identifiers to ensure the accuracy of the student-level information and records to allow the ministry to verify that information.

The ministry has a ministry-wide data warehouse to store, use and report on data from a number of sources, including data from the enrolment collection systems.

The enrolment data which is collected goes through a depersonalization process which removes specific identifiers and sensitive fields that could lead to the identification of an individual, and then reported to the ministry data warehouse to be used for statistical or other analysis to support government policy development, program evaluation and to support its funding and planning activities for the postsecondary sector.

Depersonalized, anonymized student-level information may be shared with other Ontario government ministries and agencies and with universities and colleges of applied arts and technology, Ontario secondary school boards, postsecondary stakeholder associations, the Higher Education Quality Council of Ontario and academic researchers.

The Postsecondary Finance and Information Management Branch retains enrolment data in a secure environment. Data may be shared within MTCU, with other Ministries of the Ontario Government, other orders of government, postsecondary institutions and external researchers, normally in a depersonalized format. This means that the data are depersonalized to remove identifiers and all of the sensitive fields that could lead to the identification of an individual prior to being used for statistical or other analysis to support government policy development, program evaluation and to support its funding and planning activities for the postsecondary sector.

MTCU stores electronic records off-site as part of its disaster recovery procedures.

For further information, please contact:

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