

**SCHOOL DISTRICT OF PITTSVILLE
BOARD POLICY**

INSTRUCTION

**EDUCATIONAL PROGRAMS
GRADUATION REQUIREMENTS**

GRADUATION / SEPARATION

345.6

Requirements

Although it is a total Kindergarten through Twelfth Grade responsibility to educate children, the secondary school courses required for graduation shall be structured to ensure that students in the School District of Pittsville have the opportunity to fulfill the requirements for graduation from a varied and well-defined curriculum. There are two diploma programs offered at Pittsville High School:

- 1) Regular Diploma Program** - To graduate from Pittsville High School with a regular diploma, a student must earn 28 credits or as determined by the student's IEP. The following are required to graduate:

Required Courses	English	4	Credits
	Math	3	Credits
	Social Studies	3	Credits
	Science	3	Credits
	Physical Education	1½	Credits
	Career and Financial Literacy	½	Credits **
	Health	½	Credit
	Electives	13	Credits

**Not required for graduation, but all students will be scheduled into a Career and Financial Literacy course.

NOTE: Junior High health will count towards health graduation requirement, but not toward the 28 credit requirement. 7th and 8th grade students who earn credits in math, science, and foreign language will be awarded high school credit and grade points.

~~Graduated credit requirements based on the new block schedule (2012-13).~~

~~Class of 2015 27 credits~~

~~Class of 2016 28 credits~~

- 2) Basic Skills Diploma Program (as stipulated on final High School Transcript)** - To graduate from Pittsville High School with a Basic Skills diploma, a student must earn 15 credits or as determined by the student's IEP. The following are required to graduate:

Required Courses	English	4	Credits
	Math	3	Credits
	Social Studies	3	Credits
	Science **	3	Credits
	Physical Education	1½	Credits
	Health	½	Credit

** Science, engineering or technology with two of those years as traditional science or science equivalency courses.

A Basic Skills Diploma program will be offered to students designated as "At Risk" students by the High School Principal due to extreme credit deficiency. The program aligns itself to the Wisconsin State credit minimum for receiving a High School Diploma. Students must apply for this diploma to become eligible. Final approval will be made by a Graduation Committee, consisting of the High School Principal and Guidance Counselor.

Transfer Credits and Virtual School Programming

A student may transfer high school credit from an outside agency, but requires that the high school principal approves such classes in advance to students registering for such coursework. Such courses taken outside of the school through an outside agency will be at the students/parents own expense. 67.5 clock hours are used to determine a half credit on the high school transcript. In general, one post-secondary credit is equivalent to .25 of a high school credit. The request must be submitted by the parent of the student to the high school principal before final approval is given. The approval will determined whether the credits are in required courses or elective course work. (This paragraph does not include Youth Options programming).

Civics Test Graduation Requirement

Beginning in the 2016-2017 school year, in order to be eligible for a District high school diploma, a student must have taken and successfully completed the state-required civics test while enrolled in the high school grades in the District, or as determined by the administration, in another qualifying school or program. For students with disabilities who have an individualized education program (IEP), this requirement shall be modified or waived to the extent provided by the student's IEP and/or by applicable law.

Updated: November 10, 2014

First Reading of Updates: July 11, 2016

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

INSTRUCTION

EDUCATIONAL PROGRAMS

STUDENT RECORDS

347

Student records shall be maintained in the interest of the student to assist school personnel in providing appropriate educational experiences for each student in the District.

The School Board recognizes the need for confidentiality of student records. Therefore, the District shall maintain the confidentiality of student records at collection, storage, disclosure and destruction. Student records shall be available for inspection or release only with prior approval of the student's parent or guardian or the adult student, except in situations where legal requirements specify release of records without such prior approval.

Building principals shall have primary responsibility for the collection, maintenance and dissemination of student records in accordance with state and federal laws and established District procedures.

Student record notices shall be published annually in accordance with state and federal law.

Parents/guardians and students shall be notified annually of the following:

- a. their rights to inspect, review, and obtain copies of student records;
- b. their rights to request the amendment of the student's school records if they believe the records are inaccurate or misleading;
- c. their rights to consent to the disclosure of the student's school records, except to the extent state and federal law authorizes disclosure without consent.
- d. the categories of student record information which have been designated as directory data and their right to deny the release of such information; and
- e. their right to file a complaint with the Family Policy and Regulations office of the U.S. Department of Education.

Cross Reference: — *Employee Handbook*

Legal References:

Wisconsin Statutes

<u>Section 19.65</u>	[rules of conduct; employee training; and security regarding personally-identifiable information]
<u>Section 48.396</u>	[law enforcement officer records]
<u>Section 115.812(2)</u>	[reporting information regarding specified students with disabilities to appropriate county departments]
<u>Section 118.125</u>	[state student records law; policies required]
<u>Section 118.126</u>	[privileged communications related to student alcohol and drug use]
<u>Section 118.127</u>	[law enforcement agency record information]
<u>Section 118.51(8)</u>	[full-time open enrollment; disciplinary records]
<u>Section 118.52(10)</u>	[course options; disciplinary records]
<u>Section 146.82</u>	[confidentiality of patient health care records]
<u>Section 146.83</u>	[access to patient health care records]
<u>Section 252.15</u>	[access to HIV test results]
<u>Section 767.41(7)</u>	[custody and physical placement; parent access to records]
<u>Section 938.396</u>	[access to records; law enforcement and court records]
<u>Section 950.08(2w)</u>	[information provided by district attorney to schools in criminal cases]

Federal Laws

Family Educational Rights and Privacy Act [federal student records law]

34 C.F.R. part 99 [U.S. Department of Education FERPA Regulations]

34 C.F.R. part 300 [U.S. Department of Education IDEA regulations; confidentiality and maintenance of records]

Elementary and Secondary Education Act (20 U.S.C. § 7908) [military access to student information]

National School Lunch Program [heightened privacy rules for students' eligibility status and other NSLP records]

Cross Reference: 347 – Rule

Adopted: August 11, 2003

Reviewed: August 8, 2005

First Reading of Updates: July 11, 2016

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

INSTRUCTION

EDUCATIONAL PROGRAMS

ADMINISTRATION OF PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

347.1
347-Rule

- A. **Content of Records** - Student Records include all records relating to individual students, regardless of format, other than notes or records maintained for personal use by teachers or other certified personnel which are not available to others, and records necessary for and available to persons involved in the psychological treatment of a student, records created or received by the District after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.
1. Progress Records include a statement of courses taken, grades awarded therein, the student's extracurricular activities, the student's immunization records, the student's attendance records, and lead screening records required under Wisconsin Statute.
 2. Behavioral Records include psychological tests, personality evaluations, records of conversations, written statements relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, student physical health records other than immunization records, law enforcement agency records that are not progress records, and other student records which are not progress records.
 - a) *Law Enforcement Records* include those records obtained from a law enforcement agency relating to (1) the use, possession, or distribution of alcohol or a controlled substance by a student enrolled in the district, (2) the illegal possession of a dangerous weapon by a child, (3) an act for which a district student was taken into custody based on the law enforcement officer's belief that he/she violated or was violating certain specific laws, and (4) the act for which a juvenile enrolled in the district was adjudged delinquent. The law enforcement agency may provide such record information to the district on its own initiative or upon request of the superintendent or designee, subject to the agency's official policy. Upon receipt of the records, the superintendent shall inform the student named in the records and the parent/guardian of a minor student named in the records of the information. The District may also enter into an interagency agreement with law enforcement and other appropriate agencies to provide for the routine disclosure of record information in accordance with state law provisions. If a law enforcement agency denies access to any of the aforementioned records, the District may file a petition with the court seeking access to the records based on legitimate educational or safety interests in the records.
 - b) *Court Records* include those records received from a court clerk concerning a juvenile enrolled in the District who: (1) has had a petition filed with a court alleging that he/she has committed a delinquent act that would be a felony if committed by an adult, (2) has been adjudged delinquent, (3) has school attendance as a condition of his/her court dispositional order, or (4) has been found to have committed a delinquent act at the request of or for the benefit of a criminal gang that would be a felony if committed by an adult, and has been adjudged delinquent on that basis.
 - c) *Student Physical Health Records* include basic health information about a student, including the student's immunization records, an emergency medical card, a log of first-aid and medicines administered to the student, an athletic permit card, a record concerning the student's ability to participate in an education program, the results of any routine screening test such as for hearing, vision, or scoliosis, and any follow-up to such test, and any other basic health information as determined by the State Superintendent of Public Instruction.
 - d) *Patient Health Care Records* include all records relating to the health of a student prepared by or under the supervision of a health care provider which are not included in the student "physical health records" definition

above. Any record that is required to be treated as a patient health care record is subject to different disclosure and confidentiality requirements than other behavioral records.

3. Directory Data The following information is designated in the District as directory data and may be released upon request in accordance with law and District procedures: ~~student's name, present address, telephone listing, current grade, participation in officially recognized activities and sports, weight & height of athletic teams, dates of attendance, photographs, degrees, and awards.~~ are those student records designated in the District's student directory data policy (Policy 347.1)

- B. **Confidentiality** - ~~Individuals collecting or using personally identifiable information in the district will receive training or instruction regarding security and state and federal confidentiality requirements.~~ All student progress and behavioral records are confidential, with the following exceptions:

1) Release of Student Records to Students and Parents or Guardians

- a. A student, or parent/guardian of a minor student, shall upon request, be shown and provided with a copy of the student's progress records.
- b. To the extent authorized by state and federal law, an adult student, or the parent/guardian of a minor student, shall upon request, be shown in the presence of a person qualified to explain and interpret the records, the student's behavioral records. Such student or parent/guardian shall upon request be provided with a copy of the behavioral record.
- c. To the extent authorized by state and federal law, a parent shall have access to a student's school records regardless of whether the parent has legal custody of the child, unless the parent has been denied periods of physical placement with the child as ordered by the court.
- d. Personally identifiable information from an adult student's records may be disclosed to the student's parent(s) or guardian(s), without the adult student's written consent, if the adult student is a dependent of his/her parent(s) or guardian(s) under the Internal Revenue Code. However, disclosure under this paragraph shall not be made when an adult student has informed the school, in writing, that the information may not be disclosed.

2) Access to Student Records (Other than Patient Health Records) by School Officials

- ~~d. If school attendance is a condition of a student's dispositional order under section 48.355(2)(b)7 or 938.358.2, the Board shall notify the county department that is responsible for supervising the student within five days after any violation of condition by the student.~~
- a. Student records shall be made available to school district officials who have been determined by the Board to have legitimate educational interests, including safety interests, in such records. A "school official" is a person employed by the district who is required by the Department of Public Instruction (DPI) to hold a license; a person who is employed by or working on behalf of the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and police-school liaison personnel); a person serving on the board; a person or company with whom the district has contracted to perform a specific task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a ~~parent or student person~~ serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a "legitimate educational interest" if the official needs to review a student record in order to fulfill his/her professional or district responsibilities.
- b. Law enforcement agency record information received by the District may be made available to those school officials with legitimate educational interests, including safety interests, in the information. If law enforcement agency record information obtained by the District relates to a District student, the information may also be disclosed to those District employees who have been designated by the Board to receive that information for the purpose of providing treatment programs for District students. The information may not be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, except action under the District's athletic/activity code. A law enforcement agency shall be provided a copy of a student's attendance record if the law enforcement agency certifies in writing

that the student is under investigation for truancy or for allegedly committing a criminal or delinquent act and that the law enforcement agency will not further disclose the student's attendance record information except as permitted by law. When a student's attendance record is disclosed to a law enforcement agency for purposes of truancy, the student's parent/guardian shall be notified of that disclosure as soon as practicable after the disclosure.

- e. ~~Law enforcement records may be made available to those school officials with legitimate educational interests, including safety interests, in the information. If law enforcement record information obtained by the district relates to a district student, the information may also be disclosed to those district employees who have been designated by the Board to receive that information for the purpose of providing treatment programs for student's enrollment in the district. The information may not be used as a sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, including action under the district's athletic code.~~
- c. Court records obtained by the district must be disclosed to district employees who work directly with the juvenile named in the records or who have been determined by the Board to have legitimate educational interests, including safety interests, in the information. An employee cannot further disclose the information, and the information cannot be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, except action under the District's athletic/activity code.
- d. Notwithstanding their confidential status, student records may be used in suspension and expulsion proceedings and by the IEP team under state and federal law.

3) Release of Student Progress and Behavioral Records (Other than Patient Health Care Records) to Others

- a. ~~The judge of any court of this state or of the United States shall upon request by the Board Clerk or designee, be provided with a copy of all progress records of a student who is the subject of any proceeding in such court. The district shall make a reasonable effort to notify the parent/guardian or adult student of the order in advance of compliance therewiths, except as otherwise provided by law.~~ Student records shall be disclosed at the request or order of a court. The District will make a reasonable effort to notify a parent or guardian of a court order for disclosure of student records prior to complying with the order except when (1) a parent or guardian is a party to a court proceeding involving child abuse and neglect or dependency matters and the order is issued in the context of such a proceeding; (2) the court order itself prohibits such notice; (3) or any applicable law prohibits disclosure of the order to the parent or guardian.
- b. If school attendance is a condition of a student's court dispositional order under state law, the District shall notify the court or, if the student is under the supervision of an agency, the agency that is responsible for supervising the student within five days after any violation of the condition by the student.
- c. A law enforcement agency shall be provided a copy of a student's attendance record if the law enforcement agency certifies in writing that the student is under investigation for truancy or for allegedly committing a criminal or delinquent act and that the law enforcement agency will not further disclose the student's attendance record information except as permitted by law. When a student's attendance record is disclosed to a law enforcement agency for purposes of truancy, the student's parent or guardian shall be notified of that disclosure as soon as practicable after the disclosure.
- d. A fire investigator shall be provided a copy of a student's attendance record if the fire investigator certifies in writing that: (1) the student is under investigation for arson, (2) the student's attendance is necessary for the fire investigator to pursue his/her investigation, and (3) the fire investigator will use and further disclose the student's attendance record only for the purpose of pursuing that investigation.
- e. The District may disclose student records to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of any individual. In making this determination, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from student records to any

person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. The District shall record the following information when it discloses student record information under this exception: (1) the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and (2) the parties to whom the District disclosed the information.

- f. For any purpose concerning the juvenile justice system and the system's ability to effectively serve a student, prior to adjudication:
 - (1) The District shall disclose pertinent student records to an investigating law enforcement agency or district attorney if the person to whom the records are disclosed certifies in writing that the records concern the juvenile justice system and the system's ability to effectively serve the student, relate to an ongoing investigation or pending delinquency petition, and will not be disclosed to any other person except as otherwise authorized by law.
 - (2) The District may disclose student records to a city attorney, corporation counsel, agency as defined in section 938.78(1) of the state statutes, intake worker under section 48.067 or 938.067 of the statutes, court of record, municipal court, private school or another school board if disclosure is pursuant to an interagency agreement and the person to whom the records are disclosed certifies in writing that the records will not be disclosed to any other person except as otherwise authorized by law. This disclosure can be made for any purpose concerning the juvenile justice system and the system's ability to serve a student prior to adjudication.
- g. On request, the District may disclose student records that are pertinent to addressing a student's educational needs to a caseworker or other representative of the Department of Children and Families, a county department under sections 46.215, 46.22 or 46.23 of the state statutes, or a tribal organization, as defined in 25 USC 450b(L), that is legally responsible for the care and protection of the student, if the caseworker or other representative is authorized by the department, county department, or tribal organization to access the student's case plan.
- h. The District, when reporting a crime that may have been committed by a student with a disability, is required to ensure that copies of the student's special education and disciplinary records are provided to the law enforcement authorities to whom the District has reported the crime. However, such disclosures must be pursuant to an applicable provision for disclosure under state and federal student records law. In general, the District will consider the following: (1) whether disclosure of the records is appropriate due to the existence of a health and safety emergency; and (2) if no imminent emergency exists, whether parent or guardian consent has been obtained for the disclosure or whether some other basis exists under the state and federal student records laws.
- i. The District shall make student records available for inspection or, upon request, disclose the contents of student records to authorized representatives of the Department of Corrections, the Department of Health Services, the Department of Children and Families, the Department of Justice, or a district attorney for use in the prosecution of any proceeding or any evaluation conducted under Chapter 980 of the state statutes (related to commitment of sexually violent persons), if the student records involve or relate to an individual who is the subject of the proceeding or evaluation.
- j. Upon the written permission of an adult student, or the parent or guardian of a minor student, the school shall make available to the person named in the permission form the student's progress records or such portion of his/her behavioral records as determined by the person authorizing the release. Law enforcement records may not be made available under this exception unless specifically identified by the adult student or by the parent or guardian of a minor student in the written request
- k. Student records shall be provided to a court in response to a subpoena by parties to an action for in camera inspection, to be used only for purposes of impeachment of any witness who has testified in the action. The District will make a reasonable effort to notify a parent or guardian of the subpoena prior to complying with the subpoena except when (1) a parent or guardian is a party to a court proceeding involving child abuse and neglect or dependency matters and the subpoena is issued in the context of such a proceeding; (2) the

subpoena itself prohibits such notice; (3) or any applicable law prohibits disclosure of the subpoena to the parent or guardian.

- l. Under conditions where the disclosure is permitted under both state and federal law, the District shall provide to the DPI, or another authorized federal, state, or local agency, or such an agency's authorized representative, any student record information that relates to an audit, evaluation, or any compliance or enforcement activity, that is associated with a federal or state-supported education program. In the case of disclosures to DPI, the District shall provide student records needed by the department to determine compliance with requirements under Chapters 115 to 121 of the state statutes. Student records may also be provided to the DPI for other purposes consistent with both state and federal law.
- m. Information from a student's immunization records shall be made available to state and local health officials to carry out immunization requirements. Summary student immunization data shall be reported. Individual student information for those students out of compliance with school immunization laws shall not be reported to the local health department or to the District Attorney without specific written parental consent for the reporting.
- n. Upon request and after obtaining written consent to the extent required by federal law, the names of students who have withdrawn from school prior to graduation to participate in a program leading to high school graduation or an equivalency diploma shall be provided to the technical college district board in which the public school is located or, for verification of eligibility for public assistance, to the Department of Health Services, the Department of Children and Families or a county department under section 46.215, 46.22 or 46.23 of the state statutes.

~~The Board Clerk or his/her designee shall, upon request, provided the board of a technical college district in which the school is located, or, for verification of eligibility for public assistance, the department of health and family services, the Department of Workforce Development, or a county department with the names of students who have withdrawn from school prior to graduation.~~

- o. Annually, on or before August 15, the District shall report to the appropriate community services boards county departments established under sections 51.42 and 51.437 the names of students who reside in the District, who are 16 years of age, who are not expected to be enrolled in an educational program two years from the date of the report and who may require services under section 51.42 or 51.437 (community mental health, development disabilities, alcoholism and drug abuse). The parent(s) or guardian(s) of such students shall be contacted to obtain informed consent prior to making such a report.
- p. The District shall provide student records necessary for purposes of open enrollment in another public school district to the extent required by law. These records may include copies of any individualized education program (IEP) that has been developed for a student with a disability and the following student discipline-related records:
 - (1) A copy of any expulsion findings and orders or records of any pending disciplinary proceedings involving the student;
 - (2) A written explanation of the reasons for the expulsion or pending disciplinary proceedings; and
 - (3) The length of the term of the expulsion or the possible outcomes of the pending proceedings.

4) Release of Patient Health Care Records

All student patient health care records shall remain confidential. They may be released only to persons specifically designated in state law or to other persons with the informed consent of the patient or a person authorized by the patient. Student patient health care records maintained by the District may only be released without informed consent to a District employee or agent if any of the following apply:

- a. The employee or agent has responsibility for the preparation or storage of patient health care records.
- b. Access to patient health care records is necessary to comply with a requirement in federal or state law.

Any record that concerns the results of a test for the presence of HIV or antibody to HIV (the virus which causes

acquired immunodeficiency syndrome–AIDS) shall be confidential and may be disclosed only with the informed written consent of the test subject.

- 1. ~~Information from a student's immunization record shall be made available to state and local health officials to carry out immunization requirements.~~

5) Release of Directory Data

Student directory data may be disclosed only as outlined in the District's student directory data policy 347.1. When reviewing student directory data requests, as well as when implementing other provisions of these procedures, consideration shall be given to applicable provisions of the public records law and the District's policy and procedures dealing with public records.

6) Transfer of Records

The District shall transfer to another school (including private schools and out-of-state schools) or school district all student records relating to a specific student (including disciplinary and other behavioral records; and not including records treated as patient health care records or certain treatment records for which informed consent for disclosure has not been obtained) if it has received written notice:

- a. from an adult student or the parent or guardian of a minor student that the student intends to enroll in the other school or school district;
- b. from the other school or school district that the student has enrolled; or
- c. from a court that a student has been placed in a secured juvenile correctional facility, secured child caring institution or a secured group home.

The District forwards student records as requested so long as the disclosure is for purposes related to the student's enrollment or transfer.

Student records shall be transferred within five working days of receiving the request.

C. MAINTENANCE, DISCLOSURE AND DESTRUCTION OF STUDENT RECORDS

1. While students are attending school, their records will be maintained in the school of attendance. Upon transfer of the student to another school operated by the District, the records shall be transferred to that school. Patient health care records, law enforcement agency and law enforcement unit records shall be maintained separately from a student's other records.
2. The Director of Special Education shall provide each building principal with procedural and other technical assistance for the purpose of ensuring the confidentiality of all student records kept at the principal's school. Except as otherwise provided, all requests for inspection or for transfer to another school or school district should be directed to the building principal who will determine whether inspection or transfer is permitted under state and federal law and these procedures. The building principal or his/her qualified designee shall be present to interpret behavioral records when such a request has been made by the parent, guardian, or adult student. Upon transfer of student records to the central administrative office, the District Administrator or his/her qualified designee shall assume these duties.
3. A record of each request for access to and each disclosure of personally identifiable information from the education records of a student shall be maintained with such student's records, except when the request is from or the disclosure is to the following person/party:
 - the parent or guardian or adult student;
 - a school official;
 - a party with written consent from the parent or guardian or adult student;
 - a party seeking directory data; or
 - a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information in response to the subpoena not be disclosed.
4. When the student ceases to be enrolled in a school operated by the District, his/her records will remain in the

school's office. Records shall be maintained as follows:

- a. Behavioral records will be maintained for no longer than one year after the student graduated from or last attended the school unless the student or his/her parent or guardian, if the student is a minor, gives permission that the records may be maintained for a longer period of time.
 - b. Student progress records shall be maintained must be kept for minimum of 5 years after the student graduates or ceases to be enrolled in the district.
5. The Director of Special Education shall be responsible for reviewing records of students with disabilities before they are destroyed. Parents or guardians and adult students shall be informed of information that is no longer needed to provide educational services to the student with a disability and of their right to obtain a copy of such information before it is destroyed.
- ~~m. The Board Clerk or his/her designee shall, upon request, provided the board of a technical college district in which the school is located, or, for verification of eligibility for public assistance, the department of health and family services, the Department of Workforce Development, or a county department with the names of students who have withdrawn from school prior to graduation.~~
- ~~n. Except as otherwise provided below, directory data may be disclosed to any person, if the school has (a) notified the parent, legal guardian ad litem of the categories of information which it has designated as directory data, (b) informed such persons that they have 14 days to inform the school that all or any part of the directory data may not be released without their prior consent, or (c) allowed 14 days for the parent, legal guardian, or guardian ad litem of any student to inform the school that all or any part of the directory data may not be released. Requests to withhold directory data should be directed to the superintendent.~~
- ~~1. Video and Recording Production Guidelines. If the district has followed notification procedures outlined above, and the parent, legal guardian, or guardian ad litem does not object to their child(ren)'s participation in the Pittsville School District's video production programs, prior parental permission for students to appear in production programs shall not be required for any activity which the public is normally expected or is encouraged to attend (e.g. concerts, plays, athletic events, graduation programs).~~
- ~~—As indicated above, students will participate unless the parents or guardians have notified, within the 14 days, to inform the school that they do not want their child(ren) participating~~
- ~~2. If the district has followed the notification procedure outlined above, and the parent, legal guardian, or guardian ad litem does not object to the directory data being released, technical college boards must be provided, upon request, with the name and address of each student who is expected to graduate from high school in the current school year.~~
- ~~3. If the district has followed the notification procedure outlined above, and the parent, legal guardian, or guardian ad litem does not object to the directory data being released, the Board Clerk or his/her designee shall, upon request, provide any representative of a law enforcement agency, city attorney, district attorney, or corporation counsel, county department under section 46.215, 46.22, or 46.23, a court of record or municipal court with such directory data information relating to any such student enrolled in the district or the purpose of enforcing that student's school attendance, to respond to a health or safety emergency, or to aid in the investigation of alleged criminal or delinquent activity by a student enrolled in the district.~~
- ~~4. Directory data shall not be released for commercial or promotional purposes. "Commercial" shall be defined as the intent or design to make a financial profit or gain. "Promotional" shall be defined as contributing to the growth or prosperity of the party making the request.~~
- ~~5. Directory data may be released to organizations such as colleges and universities, technical colleges, and armed forces recruiters when the request is for educational or career opportunity purposes.~~
- ~~6. A secondary school student or the parent of the student may request that the student's name, address, and~~

~~telephone listing not be released to military recruiters or institutions of higher education without prior written parental consent. Requests of this nature will be honored by our district.~~

D. PARENT/GUARDIAN/STUDENT REQUESTS FOR AMENDMENTS OF STUDENT RECORDS

1. A parent or guardian or adult student who believes that information contained in the student's records is inaccurate, misleading or otherwise in violation of the student's rights of privacy may request the District to amend the records. Such request shall be addressed in writing to the school official having custody of the records. Within a reasonable time after receiving the request, the person having custody of the records shall decide whether to amend the records in accordance with the request and inform the parent or guardian or adult student of the decision.
2. If the person having custody of the records refuses to amend the records, he/she shall inform the parent or guardian or adult student of the refusal and advise him/her of the right to a hearing. The request for the hearing shall be filed in writing with the District

Administrator or designee. The parent or guardian or adult student shall be given notice of the date, place and time of the hearing reasonably in advance of the hearing.

- a. The hearing shall be conducted by the District Administrator or designee, who must be someone who does not have a direct interest in the outcome of the hearing.
- b. The parent or guardian or adult student shall be afforded the opportunity to present relevant evidence and may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney.
- c. The decision of the hearing officer shall be based solely upon the evidence presented and shall include a summary of the evidence and the reason for the decision.
- d. The hearing shall be held and the parent(s) or guardian or adult student informed of the hearing officer's decision in writing within a reasonable period of time after the hearing.
- e. If the hearing officer decides that the information is inaccurate, misleading or otherwise in violation of the student's privacy rights, the education records of the student shall be amended accordingly.
- f. If the hearing officer decides that the information is not inaccurate, misleading or otherwise in violation of the student's privacy rights, the District shall inform the parent or guardian or adult student of the right to place a statement commenting upon the information in the education records and/or describing reasons for disagreeing with the decision of the hearing officer.

E. COMPLAINTS REGARDING ALLEGED NONCOMPLIANCE WITH FEDERAL REQUIREMENTS

Adult students or parents or guardians of minor students may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education for alleged District noncompliance with requirements of the federal Family Educational Rights and Privacy Act (FERPA).

F. ANNUAL NOTICE

Parents, guardians and adult students shall be notified annually of the following: (1) their rights to inspect, review and obtain copies of student records; (2) their rights to request the amendment of the student's school records if they believe the records are inaccurate, misleading or otherwise in violation of the student's rights of privacy; (3) their rights to consent to the disclosure of the student's school records, except to the extent state and federal law authorizes disclosure without consent; and (4) their right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education.

The notice shall be distributed to parents and guardians and adult students at the beginning of each school year. When a student transfers into the District after the above notice has been given, the student and his/her parent(s) or guardian shall receive a copy of the notice at the time and place of enrollment.

G. OTHER NOTICES

In a manner consistent with the requirements of applicable law, the District shall provide parents, guardians, and adult students with notice of the District's student directory data designations and their right to opt-out of the release of such information as student directory data. The District shall also provide parents and guardians of secondary school students with notice of their option to direct the District not to release the secondary school student's name, address or telephone listing to military recruiters or institutions of higher education without prior written consent.

- ~~o. The Board may disclose personally identifiable information from an adult student's records to the student's parent(s) or guardian, without the adult student's written consent, if the adult student is a dependent of his/her parent(s) or guardian under the Internal Revenue Code. An exception shall be made when an adult student has informed the school, in writing, that the information may not be disclosed.~~
- ~~p. The Board shall disclose a student's records in compliance with a court order under Wisconsin's delinquency laws after making a reasonable effort to notify the student's parent or guardian.~~
- ~~s. The district shall, upon request, provide student disciplinary records necessary for purposes of student enrollment in another public school district as permitted by law. These records may include:

 - ~~1. A copy of any expulsion findings and orders or records of any pending disciplinary proceedings involving the student,~~
 - ~~2. A written explanation of the reasons for the expulsion or pending disciplinary proceedings; and~~
 - ~~3. The length of the term of the expulsion or the possible outcomes of the pending disciplinary proceedings.~~~~
- ~~t. In response to a court order, the district shall provide to the court the names of all persons known by the district to be dropouts and who reside within the county in which the circuit court is located or the municipality in which the municipal court is located.~~

Parent Access to Records—moved to B(1)(c)

~~A parent, regardless of whether the parent has legal custody of the child, shall have access to a child's medical, dental, and school records unless the parent has been denied access to such records as outlined by state law (e.g., denied periods of physical placement with the child, ordered by the court).~~

Amendment of Records at Parent's/Guardian's Request—reworded above

~~A parent/guardian or adult student who believes that information contained in the student's records is inaccurate, misleading, or otherwise in violation of the student's rights of privacy may request the district to amend the records. Within a reasonable time after receiving the request, the district shall decide whether to amend the records in accordance with the request and inform the parent/guardian or adult student of the decision.~~

~~If the district refuses to amend the records, it shall inform the parent/guardian or adult student of the refusal and advise him/her of the right to a hearing. A hearing shall be held if requested by the parent/guardian or adult student.~~

~~The parent/guardian or adult student shall be informed of the decision within a reasonable period of time after the hearing. If the district decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy rights, the education records of the student shall be amended accordingly. If the district decides that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy rights, the parent/guardian or adult student shall be informed of the right to place a statement commenting upon the information in the education records and/or describing reasons for disagreeing with the decision of the district. The explanation shall be maintained as part of the records as long as the record or contested portion is maintained by the district. If the records of the student or the contested portion are disclosed to any party, the explanation shall also be disclosed to that party.~~

Transfer of Student Records—reworded above

Progress and behavioral records relating to a specific student shall be transferred to another school or school district as follows:

- ~~— a. — upon written notification from an adult student or the parent/guardian of a minor student that the student intends to enroll in a school in another district;~~
- ~~— b. — upon written notification from the other school district that the student has enrolled; or~~
- ~~— c. — upon written notification from a court a student has been placed in a juvenile correctional facility or secured group home.~~

Adopted: August 11, 2003

Updated: August 14, 2006

First Reading Updated: July 13, 2016

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

INSTRUCTION

EDUCATIONAL PROGRAMS

STUDENT RECORDS

347-Exhibit

The Pittsville School District maintains student records for each student attending school in the District. These records include: (1) **student progress records** – courses taken, grades, immunization records, extracurricular activities and attendance; and, (2) **student behavioral records** – psychological tests, personality evaluations, records of conversations, records relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, physical health records other than immunization records, law enforcement agency records obtained by the District, and any other student records which are not progress records.

State and federal laws require that the maintenance of student records assure confidentiality. The District has also adopted a student records policy and procedures. This notice is subject to state and federal laws and the District's policy and procedures. Accordingly, the following shall apply in the District:

1. An adult student, or the parent(s) or guardian(s) of a minor student, has the right to inspect, review and obtain copies of the student's school records upon request in accordance with established District procedures. The District will respond to such requests without unnecessary delay. Copies of the District's student records procedures are available upon request at the School District Office.
2. An adult student, or the parent(s) or guardian of a minor student, has the right to request the amendment of the student's school records if he/she believes the records are inaccurate, misleading or otherwise in violation of the student's privacy rights. Complaints regarding the content of student records may be made in accordance with established District procedures. Copies of the District's procedures are available upon request as outlined above.
3. An adult student, or the parent(s) or guardian(s) of a minor student, has the right to consent to the disclosure of information contained in the student's school records, except to the extent that state and federal laws authorize disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials determined to have legitimate educational or safety interests in the records. A "school official" is a person employed by the District who is required by the Department of Public Instruction to hold a license; a law enforcement officer(s) who is individually designated by the School Board and assigned to the District; a person employed by or working on behalf of the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and police-school liaison personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a specific task (such as an attorney, hearing officer, auditor, medical consultant or therapist); or a person serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a "legitimate educational interest" if the official needs to review a student record in order to fulfill his/her professional or District responsibility.

The District also, upon request, forwards a student's records to another school without consent in accordance with state law for purposes related to the student's enrollment or transfer. District procedures outline the specific reasons for disclosure without consent and are available upon request as outlined above.

4. An adult student, or the parent(s) or guardian(s) of a minor student, has the right to file a complaint with the U.S. Department of Education for alleged District noncompliance with federal Family Educational Rights and Privacy Act (FERPA) requirements. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.

First Reading of Updates: July 11, 2016

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

INSTRUCTION

EDUCATIONAL PROGRAMS

STUDENT DIRECTORY DATA

347.1

In accordance with the District's designation and written notice of student directory data, the District may disclose a student's directory data to any person unless the student's parent or guardian (or adult student, if applicable) has notified the District, in writing, that any or all of the student's directory data shall not be disclosed. If an appropriate party exercises a valid opt out under this policy, then the District shall not disclose the directory data covered by the opt-out decision unless (1) an appropriate party provides advance written consent for the disclosure; or (2) the District determines that there is a separate and otherwise applicable exception to the confidentiality of the records that permits or requires such disclosure.

The District designates the following data elements from student records as "directory data":

- Student's name
- Recorded images of the student that are not being maintained by the District for a separate purpose as a behavioral record
- Student's school/grade level
- Degrees and awards received by the student
- Student's participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- The name of the school most recently previously attended by the student
- Student's dates of attendance (not including daily attendance records)
- Student's date of birth

The District's designation and use of directory data is further defined and limited as follows:

1. Pursuant to a state law requirement, unless the student's parent or guardian (or adult student) has notified the District of his/her objection to such a disclosure of the student's directory data, the District shall, upon request, provide any representative of a law enforcement agency, city attorney, district attorney or corporation counsel, county department under section 46.215, 46.22 or 46.23, a court of record or municipal court with such directory data information relating to any such student enrolled in the school district for the purpose of enforcing that student's school attendance, to respond to a health or safety emergency, or to aid in the investigation of alleged criminal or delinquent activity by a student enrolled in the District.
2. Although a student's address and telephone number are not designated as student directory data under this District policy, the District is nonetheless required by law to release a high school student's name, home address, and telephone number to military recruiters and institutions of higher education, upon their request, unless the student or the student's parent or guardian has notified the District that such information shall not be released without prior consent. The District shall notify parents or guardians of their right to opt out of such disclosures. Requests for student contact information under this paragraph include requests from any technical college district for the contact information of students who may be graduating from high school in the current school year.
3. Pursuant to federal law, the District may not disclose or confirm a student's directory data without obtaining the written consent of a parent or guardian if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

Directory Data Notice and Opt-Out Decisions

The District will provide written notice of the District’s designation of student directory data, opt-out rights, and opt-out procedures to parents/guardians and adult students (if applicable). Notice will be provided via publication in the Student Handbook and shall also be made available through the District website. A directory data notice may be combined with, or otherwise referenced within, the District’s federally-required annual student records notice.

Upon a student’s initial enrollment and registration in the District, upon re-enrollment following a gap in enrollment, and upon each continuing student’s initial transition into high school, the student’s parent or guardian (or adult student, if applicable) shall be provided with a copy of the District’s directory data notice and shall have 14 days to inform the school, in writing, that all or any part of the student’s directory data may not be released without prior consent. During such 14-day periods, the District will avoid the release of the student’s directory data under this policy.

Regarding decisions to opt out from the school’s disclosure of all or any part of the directory data under this policy:

1. Using procedures established by the administration, a parent or guardian (or adult student, if applicable) may make, modify, or withdraw an opt-out decision regarding directory data at any time, but should allow for a reasonable period of time for such a decision to be processed.
2. Unless the District issues express notice to a parent, guardian, or adult student stating that a new opt-out decision is required (in which case a 14-day non-disclosure period will again apply), an opt-out decision from the disclosure of directory data under this policy will remain in effect until it is modified or withdrawn by an appropriate party.
3. Opting out from the disclosure of certain directory data and failing to provide consent for specific disclosures may affect a student’s ability to participate in some school functions and activities.
4. A decision to opt out from the school’s disclosure of a student’s name as directory data cannot be used to prevent the school from using, or requiring the student to use, the student’s name (or any equivalent identifier permitted by the school) in the student’s curricular activities (e.g., classes).
5. Opting out from the disclosure of directory data under this policy does not prevent the District from disclosing student records without consent (including records that contain directory data) if the District determines that there is a separate exception to the confidentiality of the records that authorizes the disclosure.

Legal References:

Wisconsin Statutes

<u>Section 19.65</u>	[rules of conduct; employee training; and security regarding personally-identifiable information]
<u>Section 118.125</u>	[state student records law; policies required]
<u>Section 767.41(7)</u>	[custody and physical placement; parent access to records]

Federal Laws

<u>Family Educational Rights and Privacy Act</u>	[federal student records statute]
<u>34 C.F.R. part 99</u>	[U.S. Department of Education FERPA regulations]
<u>Protection of Pupil Privacy Amendment</u>	[federal privacy and parental rights law]
<u>20 U.S.C. §7908</u>	[military access to student information; see also 10 U.S.C. §503]

First Reading: July 11, 2016