

STUDENT RECORDS

The School District of Brodhead has the responsibility to collect and maintain information regarding its students. The purpose in so doing is to assist students, parents, and teachers to achieve their educational goals.

A. Definitions

1. "Pupil records", as defined by s. 118.125 Wis. Stats., means all records relating to individual pupils maintained by an elementary or secondary school but does not include notes or records maintained for personal use by a teacher or other person who is required by the department under s. 115.28(7), Wis. Stats., to hold a certificate, license, or permit if such records and notes are not available to others, nor does it include records necessary for and available only to persons involved in the psychological treatment of a pupil.
 2. "Behavioral records", as defined by s. 118.125, Wis. Stats., means those pupil records which include psychological tests, personality evaluations, records of conversations, any written statements relating specifically to an individual pupil's behavior, tests relating specifically to achievement or measurement of ability, the pupil's physical health records other than his/her immunization records or any lead screening records required under s. 254.162, law enforcement officers' records obtained under 48.396(1) or 938.396(1) or (1m), and any other pupil records that are not progress records. Under the rules for implementing Chapter 115, Wis. Stats., s. PI 11.05(2)(c), the pupil behavioral records include referral information (including notices and forms); signed parental consent or refusal for evaluation; multidisciplinary decisions and signed parental consent or refusal; medical evaluations and prescriptions required to substantiate health treatment services; medical evaluations used to substantiate a determination of disability and handicapping condition; and physician's statement required for provision of special education homebound instructional services.
 3. "Progress records", as defined by s. 118.125, Wis. Stats., means those pupil records that include the pupil's grades, a statement of the courses the pupil has taken, the pupil's attendance record, the pupil's immunization records, any lead screening records required under s. 254.162, and records of the pupil's school extracurricular activities.
-

4. "Directory data" means those pupil records that include the pupil's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degrees and awards received, and the name of the school most recently attended by the pupil.
5. "Parent" means parent, guardian, or other individual as appointed by the court to act on behalf of a minor child.
6. "Adult student" means a student who has attained the age of 18 or is attending an institution of post-secondary education. For purpose of this policy, adult students have all the right accorded parents.

B. Confidentiality & Access

All pupil records shall be confidential, except in those circumstances specified by State or Federal Statute. The School District of Brodhead shall maintain the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction. Persons collecting or using personally identifiable information shall be trained in confidentiality policies and procedures.

Children are afforded rights of privacy similar to those afforded to parents. Parents will be informed annually of their rights regarding confidentiality.

1. All behavioral records will be destroyed one year after the student graduates or last attends school, except with written parent or adult student direction to retain them.
 2. Directory data and progress records will be maintained for five years after the student graduates or last attends school. Transcript records, including courses taken, grades received, and graduation date, will be kept in perpetuity.
 3. A pupil, or the parent or guardian of a minor pupil, shall, upon request, be shown and provided with a copy of the pupil's progress records.
 4. An adult pupil or the parent or guardian of a minor pupil shall, upon request, be shown, in the presence of a person qualified to explain and interpret the records, the pupil's behavioral records. Such pupil or parent or guardian shall, upon request, be provided with a copy of the behavioral records. A reasonable fee may be charged for these copies.
-

5. The District will respond to parental requests for records without unnecessary delay, and in no case more than 45 days after the request is made.
 6. The District shall presume that either parent has authority to review their child's records unless the District has been advised that a parent does not have authority under applicable state laws governing guardianship, separation or divorce. Parents in these situations will be asked to provide documentation of these limitations.
 7. The District will also provide access in the following situations specified by Statute:
 - a. The judge of any court in Wisconsin or of the United States shall, on request, be provided by the school district clerk or his/her designee, a copy of all progress records of a pupil who is the subject of any proceeding in such court.
 - b. Pupil records may be made available to persons employed in the school which the pupil attends who are required by the Department of Public Instruction under s. 115.28(7), Wis. Stats., to hold a certificate, license, or permit, or to other school district officials who have been determined by the school board to have legitimate educational interests, including safety interests.
 - c. On the written permission of an adult pupil or the parent or guardian, the school shall make available to the person named in the permission the pupil's progress records or such portions of his/her behavioral records as determined by the person authorizing the release.
 - d. Pupil records shall be provided to a court in response to subpoena for inspection.
 - e. The school board may provide the Department of Public Instruction or any public officer with any information required under Wisconsin Statutes.
 - f. Information from a pupil's immunization records shall be made available to state and local health officials to carry out the purposes of s. 252.04, Wis. Stats. Information from any lead screening records shall be made available to local and state health officials to carry out the purposes of ss. 254.11 to 254.178.
 - g. The district board of the technical college district in which the public school is located shall, on request, be provided by the school district clerk with the names of pupils who have withdrawn from the public school prior to graduation under s. 118.15(1)(c), Wis. Stats.
-

- h. Directory data may be disclosed at the principal's discretion to any person, if the school has given public notice of the categories of information which it has designated as directory data with respect to each pupil and has allowed a reasonable time thereafter for the parent of any pupil to inform the school that all of or any part of directory data may not be released. (See appendix for Annual Directory Information Notice).
 - i. A record of access will be maintained in each pupil's file. This record will include the name of the party, the date access was given, and the purpose for which the party was authorized to use the record.
 - j. The pupil attendance record may be provided to a law enforcement agency that certifies in writing that the pupil is under investigation for truancy, or for allegedly committing a criminal or delinquent act. The agency must certify it will not further release such information except as permitted under s. 938.396. The District official who releases such record shall notify the pupil's parent or guardian as soon as practical after the release.
 - k. A fire investigator may be provided a copy of the pupil's attendance record under s. 165.55(15) if he/she certifies in writing that the pupil is under investigation under s. 165.55(15). The investigator must also certify that the record is necessary for purposes of investigation, and will not be further disclosed.
 - l. If school attendance is a condition of a dispositional order under s. 48.355(2)(b) or 938.355(2), the school will notify the county supervising department of any violation by the child.
- C. Students with Disabilities, or Referred for Special Education Evaluation

The Pupil Services Director will act as the official custodian of behavioral records related to services for children with disabilities, and children referred for EEN evaluation.

1. The Director of Pupil Services will maintain a copy of the official behavioral records for all students identified with a special education need, or those referred for special education evaluation. Copies of IEP's will be maintained in the case-managing teachers' classrooms. All records shall be maintained in locked files.
-

2. The Director of Pupil Services shall be responsible for reviewing the records of children with exceptional education needs. Information that is no longer needed to provide educational services to the child will be destroyed after one month notification to the parents.
3. The Director of Pupil Services shall maintain an updated list of staff by name and title who have access to pupil records. These individuals need not sign the access logs.

D. Transfer of Records

The District will transfer all pupil records pertaining to a student to another school or school district, within five (5) working days, upon receipt of any of the following:

- a. Written notice from an adult pupil, or the pupil's parent/guardian if the pupil is a minor, that the pupil intends to enroll in another district.
- b. Written notice from another school or school district indicating the pupil has enrolled there.
- c. A court notice that the pupil has been placed in a secured correctional facility, a secured child-care institution or secured group home.

E. Amendment of Records

1. A parent who believes that the educational information/records collected, maintained, or used are inaccurate, misleading, or violate the privacy or other rights of the child may request the school district to amend the records. The school district shall decide whether to amend the information with a reasonable period of time after receipt of the request (45 days).
 2. If the School District decides to refuse to amend the information, it shall inform the parent of the refusal and advise the parent of the right to a hearing. On request, the school district has a responsibility to provide an opportunity for a hearing to challenge information in educational records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.
 3. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parents in writing.
-

4. If as a result of the hearing the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district.

5. The School District requires that any explanation placed in the records of a child be maintained by the school district as part of the records as long as the record or contested portion is maintained by the school district. If the records of the child or the contested portion are disclosed by the school district to any party, the explanation must also be disclosed to that party.

LEGAL REF: WI. ST. 118.125
Family Educational Rights & Privacy Act (FERPA)

Adopted: _____
Last Revision: _____ November 9, 2016
Last Review: _____ November 9, 2016

ANNUAL DIRECTORY INFORMATION NOTICE

The School District of Brodhead has designated the following student information as “Directory Data” under Wisconsin Statutes 118.125(1)(b) and 118.125 (2)(j): (1) name; (2) address; (3) telephone listing; (4) participation in officially recognized activities and sports; (5) weights and heights for athletic teams; (6) dates of attendance; (7) photographs; (8) degrees; (9) honors and awards received; (10) fields of study or classroom assignment/projects and (11) parent name(s).

Student addresses, phone numbers, and date and place of birth will only be available and released to other educational institutions and military recruiters with the express written approval of the building principal.

Any parent or legal guardian of a student who does not wish the schools to release any or all of the information must provide the school with a statement as to what information, if any, can be released without prior approval. Until this statement is received by the schools, the above information will be considered public records.