

SERIES 300 - INSTRUCTION

Educational Program – 340

Maintenance and Confidentiality of Student Records (347.1)

“Student records” are all records relating to individual students maintained by the elementary or secondary school. These records do not include notes or items maintained by personal use for teachers or other certified personnel which are not available to others.

There are several types of student records:

Progress Records

Progress records are those student records which include a statement of the courses taken, grades awarded, student attendance records, and the records of the students’ school co-curricular activities.

Behavioral Records

Behavioral records are all other student records, excluding progress records and directory data. These records include tests relating to achievement or measurement of ability, psychological tests, personality evaluations, physical health records other than lead screening and immunization records, law enforcement agency records, teacher evaluations and recorded comments other than grades.

Student Directory Data

Directory data means those student records which include the student’s name, address, telephone number, date and place of birth, major field of study, name of most recent school attended, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degree and awards received.

Law Enforcement Records

Law enforcement records include records obtained from a law enforcement agency relating to use, possession, or distribution of alcohol or a controlled substance by a student, illegal possession of a dangerous weapon, certain acts for which a student was taken into custody of for which the student was found to be delinquent.

Court Records

Court records include records provided by a court with respect to students involved in certain delinquency proceedings.

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Confidentiality

All student records shall be confidential, with access thereto limited to the following conditions:

- Access to student records shall be available to school district officials who have been determined by the Board to have legitimate educational or safety interests in the records. A “school official” is any person employed by the District, a person employed by or working on behalf of the District such as an auditor, health care provider, attorney or school board member.
- An adult student, or parent or guardian of a minor student, shall upon request be shown the student’s progress records and be provided a copy thereof if requested.
- 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 of the student’s progress records or such portions of the behavioral records specified by the person authorizing the release. A qualified person from the Norwalk-Ontario-Wilton School District will be present to interpret the behavioral records.
- An adult student, or parent or guardian of a minor student, shall upon request be shown the student’s behavioral records and shall be provided a copy of the behavioral records, or specified persons thereof, if requested. A qualified person from the Norwalk-Ontario-Wilton School District shall be present to interpret the behavioral records.
- The judge of any court in Wisconsin or of the United States shall, upon request, be provided by the person in charge of records with a copy of the progress records of a student who is the subject of any court proceeding.
- The Board may provide the Wisconsin Department of Public Instruction (DPI) or any other public officer with information required under Chapters 115 to 121 of the state statutes. The Board shall provide the DPI with any student record information that relates to an audit or evaluation of a federal or state-supported program or that is required to determine compliance with state law provisions. Information reported shall be kept confidential by the DPI. Notwithstanding their confidential status, student records may be used in suspension and expulsion proceedings and by the multi disciplinary team under Chapter 115 of the statutes.
- Information from students’ immunization records shall be made available to state and local health officials to carry out immunization requirements.

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- Directory data may be disclosed to any person, if the school has given public notice of the categories of information it has designated as directory data and has allowed a reasonable time of no less than fourteen (14) days thereafter for the adult student, 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 without prior consent of the parent, legal guardian or guardian ad litem.

An adult student, parent, legal guardian or guardian ad litem who wishes to inform the school that all or any part of the directory data should not be released to agencies or entities outside the district shall make a written request to the appropriate Elementary or Jr. & Sr. High School Office.

- Any part of a student health care record that concerns the results of a test for the presence of HIV shall be confidential and may only be disclosed with the written consent of the test subject.
- A school 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 Service Code. An exception shall be made when an adult student has informed the school, in writing, that the information may not be disclosed.
- The Board shall disclose a student's records in compliance with a court ordered educational plan after making a reasonable effort to notify the student's parent(s) or legal guardian.

Parent Access to Records

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 due to a court order.

Maintenance and Destruction of Student Records

- The Board appoints the District Administrator as the custodian of student records. He/she will be responsible for the overall direction and supervision of student recordkeeping in the district.
- At the building level, the Building Principal shall have primary responsibility for implementing student records policies and procedures and shall be the person to whom all request for inspection or transfer to another school be directed. All

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transfer of records must be recorded in writing to the person in the school district responsible for WSLs and ISES updating.

- An official transcript will be maintained for a period of up to 35 (thirty-five) years after a student ceases to be enrolled in the district.
- Behavioral records shall be destroyed after a student turns twenty-one (21) years old and has left the school district.

Transfer of Student Records

Student records relating to a specific student shall be transferred to another school district upon receipt of written notice from an adult student or the parent(s) or legal guardian of a minor student that the student intends to enroll in a school in another school district; from the other school district that the student has enrolled; or, from a court that legal custody of the student has been placed in a juvenile correctional facility or secured child care institution.

Hearings

An adult student, or the parent or legal guardian of a minor student, shall have the opportunity for a hearing to challenge the content of the student's records to insure that the records are not inaccurate, misleading or in violation of the privacy or other rights of the student. Opportunities for such hearings will be directed to the District Administrator.

Notices

The Norwalk-Ontario-Wilton Board of Education will annually cause to be published the student record notices required under state and federal law.

Legal Reference: Section 118.125, 118.126, 146.025, 146.82 Wisconsin Statutes
 Family Rights and Privacy Act (20 U.S.C. Section 1232g, 45
 C.F.R. Sec. 99)

Adopted: 9/13/10