

Student records shall respect such student rights as enumerated by law and the information contained in them shall be clear and accurate. Amendment of records believed to be inaccurate, misleading or in violation of the privacy rights of the student may be requested.

The District recognizes the need for the confidentiality of student records. Therefore, records of all physical and electronic student records kept at his/her assigned school. Records for students in special education containing progress and behavioral data shall be maintained in the Office of Special Education and Student Support. The Director of Special Education and Student Support shall have responsibility for the maintenance and confidentiality of all student records kept by the Office of Special Education and Student Support

Annually, the District shall inform adult students and the parents/guardians of minor students of this policy and its implementing procedures. Persons who feel that their rights under federal law have been violated may file a written complaint with the U.S. Department of Education.

- LEGAL REF.:** *Wisconsin Statutes*
- Sections 118.125 [Pupil records]*
 - 118.126 [Privileged communications]*
 - 118.127 [Law enforcement agency information]*
 - 146.81 – 148.83 [Health care records definitions]*
 - 252.15 [Restrictions on use of an HIV test]*
 - 767. 41(7) [Access to records]*
 - 938.396 [Records]*
 - 20 U.S.C. Section 1232g, 45 C.F.R. Sec. 99 [Family Educational Rights and Privacy Act]*

- CROSS REF.:** *1240, Access to Public Records*
- 5910, Children of Divorced or Separated Parents*
 - 6330, Privacy Rights in District Programs*
 - 6452, Student Progress Reporting*
 - 6460, Testing/Assessment*

Special Education Program and Procedure Manual

ADMINISTRATIVE REGULATIONS: None

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July 24, 2018

RULE 6470
GUIDELINES FOR THE MAINTENANCE AND
CONFIDENTIALITY OF STUDENT RECORDS

A.

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- b) Either parent/guardian may exercise his/her right to inspect records unless the school has been provided with evidence that there is a state law or court order governing such matters as a divorce decree, separation or custody agreement or other legally binding instrument which specifically provides to the contrary.
 - c) Personally identifiable information from an adult student's records may be disclosed to the student's parent(s)/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.
 - d) Adult students or parents/guardians of minor students shall be provided a copy of the student's records upon request, including the student's transcript, at no cost consistent with legal requirements. Transcripts requested by adult students or parents/guardians of minor students to be provided to other persons, agencies or institutions shall be provided at cost.
2. Release of Student Progress or Behavioral Records (Other Than Patient Health Care Records) to Others
- a) The judge of any court of Wisconsin or the United States shall, upon request, be provided by the Board Clerk or designee with a copy of the progress records of a student who is the subject of any proceeding in such court. A reasonable effort shall be made to notify the adult student or parent(s)/guardian of a minor student in advance of compliance.
 - b) Names of dropouts shall be provided to a court in response to an order under the state law governing municipal school dropout ordinances.
 - c) If school attendance is a condition of a student's dispositional order under section 48.355(2)(b)7 or 938.358(2), the county department that is responsible for supervising the student shall be notified within five days after any violation of the condition by the student.
 - d) 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. If a



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the school that all or any part of the directory data may not be released without the prior consent of the parent/guardian or adult student. The District will not release directory data after the District has been restricted from doing so by any of those parties.

- a) If a school has followed the notification procedure outlined above, and the adult student or parent/guardian does not object to the directory data being released, the building principal or district may release student directory data.
- b) If a school has followed the notification procedure as outlined above, and the adult student or parent/guardian does not object to the directory data being released, the Board Clerk or designee shall, upon request, provide a technical college district board with the name and address of each such student who is expected to graduate from high school in the current school year.
- c) If the school has followed the notification procedure outlined above, and the adult student or parent/guardian does not object to the directory data being released, the Board Clerk or designee shall, upon request, provide any representative of a law enforcement agency, district attorney, city attorney or corporation counsel, county department under sections 46.215, 46.22 or 46.23 or a court of record or municipal court with such directory data information relating to any such student enrolled in the 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.

5. Transfer of Records

No later than the next working day, The District shall transfer to another school or school district all student records relating to a specific student if it has received written notice: (a) from an adult student or the parent/guardian of a minor student that the student intends to enroll in the other school; (b) from the other school district that the student has enrolled; or (c) from a court that a student has been placed in a secured correctional facility, secured child caring institution or a secured group home.

C. APPEALING THE CONTENT OF STUDENT RECORDS

1. An adult student or the parent/guardian of a minor student who believes that information contained in the student's records is inaccurate, misleading or violated the privacy rights of the student may request that the principal amend these records. If the principal does not amend the records as requested by the parent/guardian or

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adult student, the principal shall notify the parent/guardian or adult student of this decision and advise him/her of the right to a hearing in order to challenge the contents of the student records.

2.

