



RIVER VALLEY SCHOOL DISTRICT

660 West Daley Street

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Spring Green, Wisconsin 53588

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Phone: 608-588-2551

347-Rule

Guidelines for Maintenance and Confidentiality of Student Records

1. TYPES OF RECORDS

"Student records" are all records relating to individual students maintained by the elementary or secondary school 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.

There are several kinds of student records:

a. Progress Records

Progress records are those student records which include a statement of the courses taken, grades awarded therein, the student's attendance records, and records of the student's school extracurricular activities.

b. 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, health care records, law enforcement agency records, court records, teacher evaluations, and recorded comments other than grades.

~~d~~.1. 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 or for which the student was found to be delinquent.

~~e~~.2. Court Records

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

c. Student Directory Data

Directory data means those student records which include the student's name, address, telephone listing, 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, degrees and awards received.

2. CONFIDENTIALITY

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

- a. 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, police liaison, or a school board member.
- b. An adult student, or the parent or guardian of minor student, shall upon request be shown the student's progress records and be provided with a copy thereof if requested.
- c. 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 portions of the behavioral records specified by the person authorizing the release. A qualified person from the River Valley school staff shall be present to interpret the behavioral records.
- d. An adult student, or the parent or guardian of a minor student, shall upon request be shown the student's behavioral records and shall be provided with a copy of the behavioral records, or specified portions thereof, if requested. A qualified person from the River Valley school staff shall be present to interpret behavioral records.
- e. The judge of any court of 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.
- f. 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 adult student, or the parent or guardian of minor student, shall be notified in writing prior to release of any records to a court, and on request shall be provided with a copy of such records.
- g. The Board may provide the DPI or any public officer with any 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 multidisciplinary team under Chapter 115 of the statutes.
- h. Information from students' immunization records shall be made available to state and local health officials to carry out immunization requirements.
- i. The district board of Madison Area Technical College (MATC), the department of workforce development, or a county department under section 46.215, 46.22 or 46.23 for verification of eligibility for public assistance shall, upon request, be provided by the Board Clerk with the names of students who have withdrawn from school prior to graduation.
- j. Except as provided in items 1 and 2 below, directory data may be disclosed to any person, if the school has given public notice of the categories of information which it has designated as directory data and has allowed a reasonable time of no less than 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 the prior consent of the parent, legal guardian or guardian ad litem.

1. If the school has given public notice that a student's name and address has been designated as directory data, has allowed a reasonable time thereafter for the parent, legal guardian or guardian ad litem of the student to inform the school that the student's name and address may not be released or has not informed the school, the Board Clerk, upon request, shall provide the district board of MATC and military recruiters with the name and address of each student who is expected to graduate from high school in the current school year.
2. 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 entities or agencies from outside of the district should use Policy #347-Exhibit 2 (attached) as the form to make this request.
- k. Any part of a student health care record that concerns the results of a test for the presence of HIV (the virus which causes acquired immune deficiency syndrome - AIDS) shall be confidential and may be disclosed only with the informed written consent of the test subject.
- l. 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 Code. An exception shall be made when an adult student has informed the school, in writing, that the information may not be disclosed.
- m. 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 or guardian.

Records shall be shown or provided to authorized persons as defined above at the earliest possible time after the request, not later than 15 school days.

A procedure for maintaining a record of the release or inspection of student records to authorized persons shall be established. Such record of release or inspection shall be kept with the student's records, and shall be available for inspection by only the adult student, the parent or guardian of a minor student or the school official in charge of recordkeeping.

3. 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 as outlined by state law (e.g., denied periods of physical placement with the child, ordered by the court).

4. EMERGENCY DISCLOSURE

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 a 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 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.

5. MAINTENANCE AND DESTRUCTION OF STUDENT RECORDS

- a. 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 and will insure adherence to student record policies and procedures.
- b. 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 requests for inspection or transfer of records to another school shall be directed.
- c. An official transcript will be maintained for a period of up to 35 years after a student ceases to be enrolled in the school district.
- d. Behavioral records shall be destroyed one year after a student graduates from or leaves school for other reasons, except that an adult student or the parent or guardian of a minor student may give the school written permission to retain them for a further specified period of time.

6. 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 or 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 secured residential care center for children and youth.

Transfers do not include records treated as health care records or certain treatment records for which informed consent for disclosure has not been obtained.

7. HEARINGS

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

8. NOTICES

The Board will annually cause to be published the student record notices required under state and federal law.

LEGAL REF.: Sections 118.125 Wisconsin Statutes
 118.126
 146.025
 146.82

Family Educational Rights and Privacy Act

CROSS REF: Policy #347-Exhibit 2 - Request for Nondisclosure of Student Directory Data

APPROVED:	April 13, 1989
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