

Policies of the Board of Education
Section I STUDENTS
STUDENT RECORDS

900.48

Page 1 of 2

The School Board recognizes the need for and importance of appropriately maintaining the confidentiality of individually-identifiable student records throughout the record life cycle (i.e., at the points of collection, storage, use, disclosure, and destruction). Protected student records shall be available for inspection or release only with the prior approval of the student's parent or guardian (or of an adult student,) except in situations where applicable laws and regulations require or permit the inspection or release of student records without such prior approval.

The Board shall adopt a comprehensive rule to accompany this policy in order to (1) satisfy various requirements of applicable state and federal law; (2) establish specific local expectations and procedures relating to the management of student records; and (3) inform staff, students, and parents and guardians about the District's student records practices. The rule will identify practices intended to facilitate student/parent/guardian access to a student's own records and also identify circumstances under which protected student records may be disclosed without the consent of a parent, guardian, or adult student. The District shall also publish an annual student records notice in accordance with state and federal law.

The District Administrator is given primary responsibility for ensuring compliance with student records and related laws as required under 34 C.F.R 300.623 and in addition is assigned district-wide responsibility for maintaining the confidentiality of personally-identifiable records created and maintained in connection with the district's special education program. The District Administrator shall have primary responsibility for ensuring that District employees and other school officials who are authorized to create, collect, maintain, use, provide access to, or destroy student records understand their duties and responsibilities as defined by applicable law, Board policy, and District procedures (including the specific confidentiality and maintenance requirements applicable to various categories of student records and other personally-identifiable records concerning students). It is essential for all District officials, employees, and agents to understand that the legal requirements and the District expectations surrounding the confidentiality of protected student records, including the limitations on disclosure of certain records and information, generally apply not only to the actual record(s) (in whatever form), but also to any verbal exchanges which improperly disclose the content of confidential records.

The District Administrator shall be responsible for coordinating and implementing the Board's rule that accompanies this policy and any additional administrative procedures intended to further ensure that school district employees and other authorized school officials obtain access to protected student records only when they have a legitimate educational interest in the records or where some other legitimate basis for access applies. Particularly where physical or technological access controls are not used, the administration shall periodically monitor the extent to which training, directives, and other procedures are serving as an effective means of maintaining the confidentiality of student records.

After providing an initial copy of any student record to a parent, guardian, or student at no cost, the District may charge a reasonable fee for subsequent copying and/or mailing of the same student record(s). The District shall not charge parents, guardians, or students for any costs associated with locating or retrieving the student's records. In situations where payment of any fees would effectively prevent a parent, guardian, or student from exercising their rights to inspect and review the student's records, any such fees shall be waived upon approval by the District Administrator or an administrative designee.

Policies of the Board of Education
Section I STUDENTS
STUDENT RECORDS

900.48

Page 2 of 2

Aside from fee waivers authorized by Board policy, any copying or postage fees that are established shall be applied consistently.

Legal References:

Wisconsin Statutes

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

Adoption Date: Adopted by the School Board 12/15/2015