

### Pupil Records Notice

In accordance with Federal and state law district maintains pupil records containing personally identifiable information gathered during screening for children referred for the evaluation of disabilities or special needs. All records directly related to a student and maintained by the school district are pupil records. With limited exception, these records are confidential. Records maintained for personal use by district staff and not available to others and records available only to persons involved in the psychological treatment of a child are not pupil records. Section PI 11.37(2)(e), Wis. Admin. Code, requires school districts to maintain, as part of the pupil records of a child with a disability, parental consents for a IEP evaluation, parental consent for placement in special education, any data used by IEP teams to reach decisions and any other records required under subchapter V of chapter 115, Wis. Stats.

The district maintains several classes of records. Progress records include records of grades, courses taken, attendance record, immunization records, required lead screening records, and record of extra-curricular activities. Progress records are maintained for at least five years after the child ceases to be enrolled. Behavioral records include such records as psychological tests, personality evaluations, records of conversations, any written statement relating specifically to the pupil's behavior, tests relating specifically to achievement or measurement of ability, physical health records, and other pupil records that are not progress records. Behavioral records are maintained for no longer than one year, and are then destroyed after the child graduates or otherwise ceases to be enrolled, unless the parent or student (age of majority) specifies in writing that the records may be maintained for a longer period of time. Please call Sue Borree, Special Services Administrative Assistant (920/967-1418) for information regarding pupil records retention. Pupil physical health records include basic health information about a pupil, including the pupil's immunization records, an emergency medical card, a log of first aid and medicine administered to the pupil, an athletic permit card, a record concerning the pupil's ability to participate in an education program, any required lead screening records, the results of any routine screening test, such as for hearing, vision or scoliosis, and any follow-up to the test, and any other basic health information, as determined by the state superintendent. Any pupil record relating to a pupil's physical health that is not a pupil physical health record is treated as a patient health care record under sections 146.81 to 146.84, Wisconsin Statutes. Any pupil record concerning HIV testing is treated as provided under section 252.15, Wisconsin Statutes.

The Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA) and section 118.125, Wisconsin Statutes, affords parents and students (age of majority) certain rights with respect to the student's education records.

- The right to inspect and review the student's education records within 45 days of the day the school district receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangement for access and notify the parent or eligible student of the time and place where the records maybe inspected.
- The right to request the amendment of the student's educational records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the Menasha Joint School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing with the Superintendent of School (or his designee) regarding the request for amendment. Additional information regarding the hearing procedures are provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. FERPA allows disclosure without consent to school officials and other persons with a legitimate educational or safety interest. A school official has a legitimate educational or safety interest if the official needs to review an education record in order to fulfill his professional responsibility. Upon request the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. The district is also allowed to disclose "directory data" without consent, unless the parent notifies the district that it may not be released without prior parental consent. Directory data means those education records which include the student 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 previously attended by the student.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

District policy relative to pupil records is covered in School Board Policy #8330, Student Records. Additional information regarding pupil records, School Board policy or district pupil records procedures can be obtained by contacting Marcena M. Thiry, Director of Special Services, Menasha Joint School District, P.O. Box 360, Menasha, WI 54952; 920/967-1429.