

# SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

## INSTRUCTION

### EDUCATIONAL PROGRAMS

#### STUDENT DIRECTORY DATA

347.1

In accordance with the District's designation and written notice of student directory data, the District may disclose a student's directory data to any person unless the student's parent or guardian (or adult student, if applicable) has notified the District, in writing, that any or all of the student's directory data shall not be disclosed. If an appropriate party exercises a valid opt out under this policy, then the District shall not disclose the directory data covered by the opt-out decision unless (1) an appropriate party provides advance written consent for the disclosure; or (2) the District determines that there is a separate and otherwise applicable exception to the confidentiality of the records that permits or requires such disclosure.

The District designates the following data elements from student records as "directory data":

- Student's name
- Recorded images of the student that are not being maintained by the District for a separate purpose as a behavioral record
- Student's school/grade level
- Degrees and awards received by the student
- Student's participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- The name of the school most recently previously attended by the student
- Student's dates of attendance (not including daily attendance records)
- Student's date of birth

The District's designation and use of directory data is further defined and limited as follows:

1. Pursuant to a state law requirement, unless the student's parent or guardian (or adult student) has notified the District of his/her objection to such a disclosure of the student's directory data, the District shall, upon request, provide any representative of a law enforcement agency, city attorney, district attorney or corporation counsel, county department under section 46.215, 46.22 or 46.23, a court of record or municipal court with such directory data information relating to any such student enrolled in the school 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.
2. The District discloses a student's date of birth only in grades PK-12 and only for the purpose of acknowledging and observing the student's birthday within the student's school. A student's date of birth is never released in response to a third party's request for access to student directory data.]
3. Although a student's address and telephone number are not designated as student directory data under this District policy, the District is nonetheless required by law to release a high school student's name, home address, and telephone number to military recruiters and institutions of higher education, upon their request, unless the student or the student's parent or guardian has notified the District that such information shall not be released without prior consent. The District shall notify parents or guardians of their right to opt out of such disclosures. Requests for student contact information under this paragraph include requests from any technical college district for the contact information of students who may be graduating from high school in the current school year.

Separate and independent of the District's designation of student directory data items under this policy, federal law requires the District to provide institutions of higher education and military recruiters, upon their request,

with the following contact information for high school students unless an eligible student or the parent or guardian of a minor student has notified the District that such information shall not be released without the prior written consent of a parent of a parent or guardian (or adult student, if applicable):

- a. To institutions of higher education: a high school student's name, address, and telephone number.
- b. To military recruiters: a high school student's name, address, telephone number, and District-issued electronic email address.

The District shall notify parents and guardians of high school students (or, if applicable, an adult student) of the options to opt out of such disclosures, and the administration shall implement appropriate procedures for submitting an opt-out decision to the District.

4. Pursuant to federal law, the District may not disclose or confirm a student's directory data without obtaining the written consent of a parent or guardian if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

### **Directory Data Notice and Opt-Out Decisions**

The District will provide written notice of the District's designation of student directory data, opt-out rights, and opt-out procedures to parents/guardians and adult students (if applicable). Notice will be provided via publication in the Student Handbook and shall also be made available through the District website. A directory data notice may be combined with or otherwise referenced within the District's federally-required annual student records notice.

Upon a student's initial enrollment and registration in the District, upon re-enrollment following a gap in enrollment, and upon each continuing student's initial transition into high school, the student's parent or guardian (or adult student, if applicable) shall be provided with a copy of the District's directory data notice and shall have 14 days to inform the school, in writing, that all or any part of the student's directory data may not be released without prior consent. During such 14-day periods, the District will avoid **any** the release of the student's directory data that is not separately authorized or required by law under ~~this policy~~.

Regarding decisions to opt out from the school's disclosure of all or any part of the directory data under this policy:

1. Using procedures established by the administration, a parent or guardian (or adult student, if applicable) may make, modify, or withdraw an opt-out decision regarding directory data at any time, but should allow for a reasonable period of time for such a decision to be processed.
2. Unless the District issues express notice to a parent, guardian, or adult student stating that a new opt-out decision is required (in which case a 14-day non-disclosure period will again apply), an opt-out decision from the disclosure of directory data under this policy will remain in effect until it is modified or withdrawn by an appropriate party.
3. Opting out from the disclosure of certain directory data and failing to provide consent for specific disclosures may affect a student's ability to participate in some school functions and activities.
4. A decision to opt out from the school's disclosure of a student's name as directory data cannot be used to prevent the school from using, or requiring the student to use, the student's name (or any equivalent identifier permitted by the school) in the student's curricular activities (e.g., classes).
5. Opting out from the disclosure of directory data under this policy does not prevent the District from disclosing student records without consent (including records that contain directory data) if the District determines that there is a separate exception to the confidentiality of the records that authorizes the disclosure.

### **LEGAL REFERENCES:**

#### **Wisconsin Statutes**

Section 19.65 [rules of conduct; employee training; and security regarding personally-identifiable information]  
Section 118.125 [state student records law; policies required]  
Section 767.41(7) [custody and physical placement; parent access to records]

**Federal Laws**

20 U.S.C §1232(g) Family Educational Rights and Privacy Act; the federal student records ~~law statute~~  
34 C.F.R. part 99 [U.S. Department of Education FERPA regulations]  
~~Protection of Pupil Privacy Amendment [federal privacy and parental rights law]~~  
20 U.S.C. §7908 [~~military access to student information; see also 10 U.S.C. §503~~ providing high school students' contact information to military recruiters and institutions of higher education]  
20 U.S.C. §503(c) [providing high school students' contact information to military recruiters]

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