

**WAUNAKEE COMMUNITY SCHOOL DISTRICT  
BOARD OF EDUCATION POLICY COMMITTEE MEETING**

Thursday, February 16, 2023

7:30 AM

Waunakee Community School District  
905 Bethel Circle  
Waunakee, WI 53597

Members of the public may attend Board of Education meetings in-person, and will be asked to check in with District personnel when you arrive.

Public comments will be limited to 3 minutes. The Board will allow 30 Minutes for public comments.

Public comments may be sent to Rebecca McDonough at [district\\_administrator@waunakee.k12.wi.us](mailto:district_administrator@waunakee.k12.wi.us) up to one hour before the start of the Board meeting. All comments will be reviewed by the Board members. Emailed comments will be reviewed by the board but not read out loud. Emailed comments sent during any part of the board meeting (Board Development, Closed session, Open session) will be forwarded to the board but may or may not be reviewed by the board until after the board adjourns. Comments must include the commentator's name, address, and must identify their connection to the District (if any) and any group they are representing in order to be considered by the Board.

If you would like to address the Board in-person during the public comments section of the meeting, you will be greeted in the lobby of the building, asked to check in with District personnel when you arrive so that you can be recognized and address the Board when your name is called.

A recording of the meeting will be posted on the District webpage within 24 hours of the meeting time.

**AGENDA**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVE AGENDA**

**IV. PUBLIC COMMENTS**

**V. POLICIES FOR DISCUSSION, REVIEW, AND CONSIDERATION** **3**

Attached please find the policy summary grid that will be the working document for the policy committee meeting.

- |  |    |
|--|----|
| A. 343.6 Instrumental Music Lessons                            | 7  |
| B. 345.1 Grading Systems                                       | 8  |
| C. 345.1 Rule Specific Grading System                          | 10 |
| D. 346 Student Assessment                                      | 14 |
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J. 347 Rule Confidentiality of Student Records	29
K. 347 Student Records	
L. 347.1 Student Directory Data	

**VI. FUTURE MEETINGS**

Upcoming meetings:

March 16 @ 9:30am

April 6 @ 7:30am

May 18 @ 7:30am

**VII. ADJOURN**

“Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires assistance with access or materials should contact the Waunakee Community School District Office at 849-2000, 905 Bethel Circle Drive Waunakee, WI 53597, at least twenty-four hours prior to the commencement of the meeting so that necessary arrangements can be made to accommodate the request.”

Proposed Code	Title	Current policy code	WASB recommendation	WASB Comment (if any)	First Review Ed Serv./Admin	2nd Review
	Instrumental Music Lessons	343.6	Keep current Policy	The PRG does not include a sample for this policy. WASB codes this policy 341.71.	Admin to review	Agree with Administrative review of all policies
345.1	Grading systems	345.1	Replace policy with PRG 345.1 Sample Policy 2	See my email to you dated August 3, 2022:  Your policy has an outdated nondiscrimination statement but is otherwise okay. Your rule is generally acceptable except that it does not address several questions (what you do with courses taken at tech college, college, through foreign exchange programs, etc.) that you may want to address. I found WASB PRG 345.11 sample policy 2 which has many similarities to your 345.1 rule and could be a rule under policy 345.1. I think you could keep your current 345.1 rule and add anything you think appropriate from the WASB PRG 345.11 sample policy 2, or you might use WASB PRG 345.11 sample policy 2 as a starting point and transfer the bulk of your 345.1 rule into it. Either choice involves a lot of local policy decisions. Rather than	Administration to review before Committee meeting	
345.1	Specific Rule Grading System	345.1 Rule	Update rule or replace with PRG 345.11 Sample Policy 2		Administration to review before Committee meeting	

346	Student Assessment	346	Replace with PRG 346 Sample Policy 1	Your current policy is acceptable and is replaced by the PRG sample to align your policies with the PRG.	Adopt as WASB suggest	
	Testing program guidelines	346 Rule	Delete	This rule addresses assessment of Children with Disabilities and English Learners. It was last updated in 2002 and is out of date. See my comments for your current policy 342.1 Programs for Students with Disabilities. If your district adopted the DPI Model Manual, the manual addresses student assessments for disabled students. Regarding English Learners, you recently (June 2022) updated your 342.7 Services/Programs for English Learners. You address assessments in the 5th paragraph (bottom of the first page) of that policy. If you want more specifics on how and when testing accommodations are made, see PRG 342.7 sample rule 1, sections C and D.	Repeal as WASB suggest	
346 Exhibit	Annual Notice of Student Assessment Information	346 Exhibit	Replace with PRG 346 Sample Exhibit 1	Your current 346 Exhibit is from 2002 and is out of date. PRG 346 Sample Exhibit 1 can serve as the basis for your student assessment notice to parents and the public.	Replace with Annual Chart Assessments & Their purpose This is posted on Curriculum Web page	

346.1	Policy on Non-Discriminatory Testing	346.1	Review and edit or delete.	Both your current 346 and the PRG sample policy 346 have a nondiscrimination statement. If your district has adopted the DPI Model Special Education Policies and Procedures Manual, this content is covered in the evaluation safeguards on pages 31-32. The PRG does not have a sample covering this content. The following are comments from the Quick Check:  This existing WCSD policy addresses assessments primarily, but not exclusively, as it relates to students with disabilities, or possible disabilities, including special education evaluations. Evaluate whether this policy might be separated into different policy areas based on special education evaluations versus district academic assessments and accommodations (for various reasons) related to such assessments.	Repeal as WASB suggest	
346.3	Student Portfolios	346.3	Review and edit or delete.	Evaluate whether this policy has any current application in the district. The PRG does not include a sample for this policy.	Repeal as WASB suggest	
347	Student Records	347	Replace with PRG 347 Sample Policy 1	Your current policy covers the same ground covered by this PRG sample.	Adopt as WASB suggest	
347 Rule	Confidentiality of Student Records	347 Rule	Replace with PRG 347 Sample Rule 1	The PRG sample covers numerous law changes occurring since July 2011 when WCSD 347 rule was adopted. This rule requires further editing with regard to the district's treatment of directory data.	Adopt as WASB suggest Administration to review Directory info	

347 Exhibit	Student records	347.1 Rule	Seeking guidance on district directory data definition	See my email to Randy seeking guidance on directory data definition dated August 18.  Revisit after Randy responds to questions about district directory data definition.	Adopt as WASB suggest Administratio n to review Directory info	
347.1	Student Directory Data	347.1	Seeking guidance on district directory data definition	Revisit after Randy responds to questions about district directory data definition.	Adopt as WASB suggest Administratio n to review Directory info	

Policies of the Board of Education

Series 300: Instruction

**INSTRUMENTAL MUSIC LESSONS**

343.6

One of the components of the district’s instrumental music programs is the providing of lessons to students in overall groups. Every effort shall be made to provide these lessons at times that do not conflict with other classes. However, the Board recognizes that this is not always possible and, as such, directs administration to establish procedures and guidelines in each building that will provide opportunities for lessons with minimal disruptions of a student’s regular class schedule.

The basic components of these guidelines shall include the following:

1. A student shall miss no more than two classes per quarter in any one subject area. An exception to the two-class rule may have to be made for 5<sup>th</sup> grade strings students.
2. A student must be doing “B” work or better in a specific class in order to miss that class for a music lesson. Additionally, students will not be excused from a class for music lessons for other good and valid reasons (tests, field trips, project work, etc.) as determined by the classroom teacher. This provision can be modified by a student IEP (EEN students with disabilities only).
3. Students will make up all work missed in their regular class.
4. Students are responsible for making up missed music lessons at a time scheduled by the music instructor. These make up lessons can be at any time during the school day, before school, after school, during recess or lunch.
5. Parents/guardians and students are to be notified of the school’s music lesson guidelines and this policy as well as the student’s specific lesson schedule annually. The parents/guardians will acknowledge receipt of the guidelines and lesson schedule on a form provided by the building principal. Parent acknowledgment will not be required if all the students’ lessons are scheduled so as to not conflict with other classes. (i.e., during study hall or release time).

Legal Ref.: Section 120.13 Wisconsin Statutes

Adopted: March 9, 1998  
January 2002

Waunakee Community School District

***(This sample policy combines grading and student progress reporting information together, and prohibits the use of weighted grades. High school grading for purposes of determining class rank is not included in this policy but is included in a separate policy on class rank – Refer to PRG 345.11 Sample Policy 1. This sample policy is coded under 345.1 and 345.2.)***

The School Board believes that academic success and personal growth of students are best attained when:

1. learning targets are clear and presented to students prior to instruction;
2. progress is monitored regularly and fairly;
3. students receive prompt, specific feedback; and
4. parents and guardians are involved frequently.

Evaluation methods should enhance student potential for learning, develop the spirit of inquiry, and develop positive self image. Students should be assessed and evaluated both on how their achievement compares to established academic standards and benchmarks and how they are progressing as self-directed learners.

The grading/reporting system shall be uniform District-wide at comparable grade levels. The focus must be on learning, not just time spent in class. While teachers may assign different weight to tests, projects and homework, the District will not weight individual courses for transcript purposes. This includes at the high school level. The records and reports of individual students shall be kept in a form that will be meaningful to parents and guardians and students as well as teachers. The results should serve as a tool for communication with parents and guardians in regard to their child's educational program.

Parents and guardians of students with disabilities shall be regularly informed of their child's progress toward the annual goals outlined in the child's individualized education plan (IEP) and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the effective period of the IEP. They shall be informed at least as often as parents and guardians of nondisabled students are informed of their child's academic progress.

The Board recognizes that any grading/reporting system, however effective, is subjective in nature but urges all faculty members to conduct student assessments and evaluation as objectively as possible. Staff members will be expected to inform students and parents and guardians of the criteria used for grading/evaluation in their classes. Staff development will help ensure quality instructional experiences that give students the best opportunity to attain the expectations.

The District shall not unlawfully discriminate in the methods, practices and materials used for evaluating students on the basis of sex, sexual orientation, race, color, national origin, ancestry, religion, creed, pregnancy, marital or parental status, any physical, mental, emotional or learning disability, or any other legally-protected status or classification. This does not, however, prohibit the use of special testing materials or techniques to meet the individualized needs of students. Discrimination complaints shall be processed in accordance with established procedures.

### Legal References:

#### Wisconsin Statutes

<a href="#">Section 115.38(1)</a>	[school performance reports; indicators of academic achievement]
<a href="#">Section 115.385(4)</a>	[school accountability reporting to parents/guardians]
<a href="#">Section 115.787</a>	[required components of IEPs for students with disabilities]
<a href="#">Section 118.13</a>	[student nondiscrimination]
<a href="#">Section 120.12(2)</a>	[board duty; advise regarding instruction and student progress]
<a href="#">Section 120.13(1)</a>	[board power; make rules for organization and gradation of schools]

#### Wisconsin Administrative Code

<a href="#">PI 9.03(1)</a>	[student nondiscrimination in student evaluation/testing policies]
<a href="#">PI 26.03(1)(b)1</a>	[academic and career planning services for students, including requirement to update parents/guardians on the progress of their child's planning]
<a href="#">HEA 9.05(2)</a>	[high school grading policy required]

#### Federal Laws

<a href="#">Elementary and Secondary Education Act [Part A - Subpart 1]</a>	[includes reporting student assessment, academic achievement and academic growth data to parents/guardians, and school accountability reporting]
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### Cross References:

WASB PRG Sample Policy 2

### Adoption Date:

# HIGH SCHOOL GRADING SCALE, GRADE POINT AVERAGE, AND CLASS RANK

Policy 345.11

Sample Policy 2

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*(This sample policy will inevitably need to be modified to address local requirements and practices. However, it is provided as an example of a policy that supplements a general grading system policy (such as 345.1 Sample Policy 3 in the PRG) and that addresses the high school grading policy requirements associated with the Wisconsin Academic Excellence Scholarship and the Wisconsin Technical Excellence Scholarship. This sample could also be designated as a "rule" under a general grading system policy. In districts with multiple high schools, consider the extent to which the high school grading system needs to differentiate between/among the different high schools.)*

## **GRADES IN HIGH SCHOOL COURSES**

The following is the District's standard letter-based grading scale and grade point average (GPA) conversion chart for high school courses:

*{Editor's Note: This chart provides only an example and should be understood as a placeholder that should be adapted to reflect local practice.}*

Grade	GPA	Grade	GPA
A	4.000	D+	1.333
A-	3.667	D	1.000
B+	3.333	D-	.667
B	3.000	F	.000 (no credit earned)
B-	2.667	PASS	credit earned; not factored into GPA
C+	2.333	FAIL	no credit earned; not factored into GPA
C	2.000	I	incomplete
C+	2.333	W	withdrawn w/ school approval
C	2.000		
C-	1.667		

*[Insert as applicable:]*

*"No courses eligible for inclusion in the calculation of a GPA receive weighted treatment when the letter grade is converted to the numerical scale."*

### **OR:**

*"The following courses eligible for inclusion in the calculation of a GPA receive weighted treatment when the letter grade is converted to the numerical scale: {list classes and identify the applicable weighting factor}."*

# HIGH SCHOOL GRADING SCALE, GRADE POINT AVERAGE, AND CLASS RANK

Policy 345.11

Sample Policy 2

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## **HIGH SCHOOL GRADE POINT AVERAGES**

Semester Grade Point Average. The District uses the end-of-semester composite grade that a student earns in each course for purposes of calculating a grade point average for each individual semester.

Cumulative Grade Point Average. A student's cumulative high school grade point average is a calculation derived using [choose one of the following or insert another description: "each end-of-semester composite grade in a course" or "each end-of-course final grade" or "each end-of-semester or end-of-course composite grade which represents the grade associated with any unit of credit awarded toward high school graduation"].

Courses and course grades are either included in or excluded from the District's GPA calculations as follows:

***{Editor's Note: The following list needs to be carefully reviewed and edited to reflect the district's actual practices. There are many different methods of calculating high school grade point averages. Items 3, 4 and 5 in the list assume that the district offers/awards such credit to count toward the high school graduation requirements. If the district does not offer any of those credit opportunities, the item(s) may be deleted.}***

1. Courses that the District offers for high school credit are included in the student's GPA whenever a high school student takes the course in the District and receives a grade that has a numerical GPA equivalent. This includes online courses offered by the District that are taken without applying to or attending another educational institution.
2. Provided that the administration determines that the grade awarded can be adequately converted to the District's high school grading scale, grades received in the following courses are included in the student's GPA:
  - Courses taken at or through a Wisconsin technical college or college/university in an attempt to earn high school credit (whether for dual credit or only for high school credit).
  - Courses taken at another public high school or accredited private high school for which the District would award high school credit for a passing grade.
  - Courses for which the District would award high school credit for a passing grade and which the student has taken in either a District alternative education program or a District program for students with exceptional educational interests, needs, or requirements.
3. A course taken by a [choose as applicable: "8<sup>th</sup> grade" or "7<sup>th</sup> or 8<sup>th</sup> grade"] student for credit toward high school graduation in the area of health education [choose: "is" or "is not"] included in the student's cumulative high school grade point average.
4. Any course taken by a [choose as applicable: "8<sup>th</sup> grade" or "7<sup>th</sup> or 8<sup>th</sup> grade"] student for credit toward high school graduation and that is being used to satisfy one of the mandatory

# HIGH SCHOOL GRADING SCALE, GRADE POINT AVERAGE, AND CLASS RANK

Policy 345.11

## Sample Policy 2

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minimum credits required by state law, other than for credit in health education, [choose: "is" or "is not"] included in the student's cumulative high school grade point average.

5. Any course that is taken by a [choose as applicable: "8<sup>th</sup> grade" or "7<sup>th</sup> or 8<sup>th</sup> grade"] student for credit toward high school graduation (including purely elective credit) but that is not being used to satisfy one of the mandatory minimum credits required by state law [choose: "is" or "is not"] included in the student's cumulative high school grade point average.
6. Courses taken on a Pass/Fail basis with District approval (i.e., no letter grade is recorded) are not used in determining GPA. [Include if applicable: No course that is offered by the District and taken by a District high school student to satisfy a high school graduation requirement may be approved as a Pass/Fail course for grading purposes unless (1) the course is offered exclusively on a Pass/Fail basis; or (2) a Pass/Fail option is offered to all students who take the course.]
7. Any grade received by a student for instruction that has been provided by a home-based private educational program or by a non-accredited private school shall not be used in determining GPA. [Include if offered as an option: However, to establish a grade value for any such courses that are accepted for high school credit, a student may choose to take a District-provided cumulative final exam for the course, if the District determines that a suitable exam or assessment is available for the course. The student will be given a course grade that is the same as the exam grade received, and such grades shall then be included in determining a student's GPA.]
8. Grades earned by a student in another country or through a study abroad program shall not be used to determine GPA, honors, or class rank. [Include if offered as an option: However, to establish a grade value for such courses that are accepted for high school credit, a student may choose to take a District-provided cumulative final exam for the course, if the District determines that a suitable exam or assessment is available for the course. The student will be given a course grade that is the same as the exam grade received, and such grades shall then be included in determining a student's GPA.]

Under the standards identified above, there are courses for which a student may receive high school credit (including credit toward high school graduation requirements) but for which the grade received will not factor into the calculation of a student's GPA.

### **RANK IN ANTICIPATED GRADUATING CLASS**

***{Editor's Note: High schools are not required to calculate a class rank. The following provisions are included only as a sample of the type of information that might be included in the high school grading policy to the extent the district does calculate class rank. In some districts, the class rank process (or any similar system of indicating, beyond the GPA itself, a student's cumulative achievement – such as GPA-based honors groupings) is structured as a separate policy or rule.}***

School-wide class rankings shall be maintained based on high school students' cumulative GPAs beginning [insert time frame: e.g., at the conclusion of the class's 10<sup>th</sup> grade school year] and

# HIGH SCHOOL GRADING SCALE, GRADE POINT AVERAGE, AND CLASS RANK

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continuing through the conclusion of the 12<sup>th</sup> grade [insert: "fall semester" or "spring semester"]. The calculation is updated at the conclusion of each semester.

- Only current full-time students who have attained at least [##] total credits toward high school graduation and who have earned at least [##] of those credits while enrolled as a student in the District qualify for a class ranking through the end of 11<sup>th</sup> grade.
- Only current full-time students who have or who are expected to have sufficient credits to graduate and who have earned at least [##] of those credits while enrolled as a student in the District qualify for a senior class ranking during 12<sup>th</sup> grade.

## **NONDISCRIMINATION STATEMENT**

The District shall not unlawfully discriminate in the methods, practices and materials used for evaluating students on the basis of sex, sexual orientation, race, color, national origin, ancestry, religion, creed, pregnancy, marital or parental status, any physical, mental, emotional or learning disability, or any other legally-protected status or classification. This does not, however, prohibit the use of special testing materials or techniques to meet the individualized needs of students. Discrimination complaints shall be processed in accordance with established procedures.

## **Legal References:**

### **Wisconsin Statutes**

[Section 118.33](#) [high school graduation requirements]

### **Wisconsin Administrative Code**

[HEA 9.05\(2\)](#) [high school grading policy required]

[PI 9.03\(1\)\(f\)](#) [student nondiscrimination in student evaluation/testing policies]

[PI 18](#) [high school graduation requirements]

## **Cross References:**

*[Insert appropriate cross references to the policy as applicable to your district.]*

## **Adoption Date:**

# STUDENT ASSESSMENT

# Policy 346

Waukegan Community School District

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*(This sample policy outlines general expectations for student assessments in the district and for the use and reporting of assessment data. State regulations require districts to adopt a policy that expressly affirms the district's commitment to nondiscrimination in student testing and evaluation. The final paragraph of this sample addresses that policy mandate. See the exhibits included with this topic for samples that address specific state and federal notice obligations that relate to student assessments.)*

Ongoing assessment is essential to the District's mission of providing an education appropriate to each student. Systematic collection, interpretation, and application of assessment data are necessary to determine student learning and progress, to allow for accountability in teaching and learning, and to facilitate appropriate program review.

In addition to standardized achievement tests, District assessment plans and procedures may involve the use of a variety of formal and informal assessment techniques. Examples of such techniques include the following: teacher-designed assessments, direct observations of student performance, instruments supplied by companies that create instructional materials, diagnostic assessments, tests of learning aptitude, career awareness and career aptitude/attitude assessments, portfolios, and any assessments required by state and federal laws.

The District expects student assessments to arise from established instructional goals and achievement expectations, to serve an instructionally-relevant purpose, to utilize a reasonable and appropriate methodology, and to reasonably control for sources of bias and distortion that can lead to inaccurate assessment.

Decisions regarding the assessment of students with disabilities and English Learners shall be made on an individualized basis to the extent required by law and in accordance with established District policies and procedures.

Summary District assessment data will be available to administrators and the School Board. Appropriate summary assessment reports, as well as information about the assessments administered to students, will also be provided to the public as required by law. Summary data will be used for curriculum development and evaluation, program development and evaluation, establishing District goals, making budgetary decisions, and developing remediation plans at the classroom, building, and District level when needed. Summary data will also be used to monitor the effectiveness of curriculum, materials, and instruction, to identify relevant trends with respect to groups of students, to provide accountability to parents and guardians, and to determine areas for staff development and study.

When maintained by the District, scores, grades, and other assessment data that are personally identifiable to an individual student are legally-protected student records that will not be disclosed except as otherwise permitted or required by applicable law and by the District's student records policies.

In connection with any of the methods, practices, or materials used for testing and evaluating students, the District shall not unlawfully discriminate on the basis of sex, sexual orientation, race, color, national origin, ancestry, religion, creed, pregnancy, marital or parental status, any physical, mental, emotional or learning disability, or any other legally-protected status or classification. This does not, however, prohibit the use of special testing or counseling materials or

# STUDENT ASSESSMENT

# Policy 346

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techniques to meet the individualized needs of students. Discrimination complaints shall be processed in accordance with established procedures.

## Legal References:

### Wisconsin Statutes

<a href="#">Section 115.415</a>	[educator effectiveness evaluation requirements; include use of student assessment results]
<a href="#">Section 115.77(1m)(bg)</a>	[assessments; students with disabilities]
<a href="#">Section 118.016</a>	[reading readiness assessments]
<a href="#">Section 118.13</a>	[student nondiscrimination]
<a href="#">Section 118.30</a>	[state required student assessments]
<a href="#">Section 118.301</a>	[alternative student assessments]
<a href="#">Section 118.33(1m)(a)</a>	[civics test requirement for high school graduation]
<a href="#">Section 118.33(6)</a>	[use of state student assessment scores in promotion decisions]
<a href="#">Section 121.02(1)(r)</a>	[school district standard; 3 <sup>rd</sup> grade reading tests]
<a href="#">Section 121.02(1)(s)</a>	[school district standard; state-required examinations]

### Wisconsin Administrative Code

<a href="#">PI 8.01(2)(r)</a>	[3 <sup>rd</sup> grade reading tests]
<a href="#">PI 8.01(2)(s)</a>	[achievement tests]
<a href="#">PI 9.03(1)</a>	[student nondiscrimination in testing/evaluation policies]
<a href="#">PI 13</a>	[assessments; limited English proficient students]

### Federal Laws

<a href="#">Elementary and Secondary Education Act [Part A - Subpart 1]</a>	
<a href="#">20 U.S.C. §6311(b)2</a>	[ESEA federal testing requirements]
<a href="#">20 U.S.C. §6312(e)2</a>	[Title I requirements to give notice of and publicize assessment-related-information]

## Cross References:

- [346-Exhibit, Student Assessment Program](#)
- [346-Rule, Testing Program Guidelines](#)
- [346.1, Nondiscriminatory Testing](#)
- [411-Rule \(1\), Student Discrimination/Harassment Complaint Procedures](#)
- [345.4, Promotion/Retention of Students](#)
- [345.5, Graduation Requirements/Procedures](#)
- WASB PRG 346 Sample Policy 1

**Adoption Date:** 11/8/82

**Revised:** 9/8/86  
9/14/87  
March 1994  
September 1994

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# STUDENT ASSESSMENT

Waunakee Community School District

# Policy 346

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January 2002

July 2002

June 2018

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**TESTING PROGRAM GUIDELINES**

346-Rule

1) Children With Disabilities (CWD)

The Board may determine not to test a student enrolled in a special education program or may modify the format and/or administration of the tests for students with disabilities.

When an individualized education program (IEP) team has determined that a student has an disability and is unable to benefit from the general educational offering in a specific area, and the team has planned an individual educational program for the student according to state and federal laws and regulations, then the student will not be required to take the grade level test I those areas in which his/her disability may limit academic development. The student will, however, be required to take a standardized achievement test annually to determine the level of competency and to plan educational goals to improve that competency.

If the Children with Disabilities team determines that grade level testing is appropriate for an student with disabilities, modifications in the format and/or administration of the test must be explicitly stated in the Individual Educational Program. If no such modifications are referenced it is understood that the student is exempted from the grade level testing in his/her areas of disability.

2) Limited-English Proficiency (LEP) Students

If limited-English speaking students are enrolled in the Waunakee Community School District, the District is required to identify those students and assess individually their levels of proficiency in English. After determining each student's level of proficiency in English and whether the student has been given the opportunity to acquire the competencies for which he/she is being tested, the District may choose among the following testing options:

- a) Exempt the limited-English speaking student from the test or any subtest; or
- b) Permit the limited--English speaking student to be tested in the mathematics portion of the examination in his/her native language; or
- c) Modify the format and/or administration of the test or any subtest; or
- d) A combination of options (b) and (c) as appropriate.

If the District chooses the second or third option or a combination thereof, the District will consult with the DPI for further guidelines.

The Board will also comply with the following notification process:

- a) Notify the student's parent(s) or guardian in writing regarding the student's inclusion in or exemption from the competency testing program student assessment program. The notice shall be provided in English and in the native language. The Board shall use whatever other means of communication is necessary to ensure that the parent/guardian understands.
- b) Provide notice of at least 30 days prior to the administration of the test, or upon the student's arrival in the District if the results of the test are used in determining grade promotion.
- c) Provide a written report of each student's test results to the student's parent(s)/guardian. The report shall be provided in English and in the native language. The Board shall use whatever means of communication is necessary to ensure that the parent/guardian understands.
- d) Decisions regarding testing will be made on an individual basis and will be documented in the students IEP for each child with disability or will be documented on an individual basis for each LEP student.
- e) Test results will not be used as the sole criterion in determining grade promotion, eligibility for courses or program eligibility for graduation for participation in post-secondary opportunities or LEP students from exiting from a bilingual-bicultural program.

Legal Ref.: Section PI 8.01(2) (r)  
Section PI 16 Wisconsin Administrative Rules  
Section 118.30(3)(b)2 Wisconsin Statutes  
Section 115.787 (2) (e) Wisconsin Statutes  
Section 121.02 (1) (r) & (s) Wisconsin Statutes

Adopted: 4/11/88

Revised: March 1994  
February 2002

Waunakee Community School District

Assessment	Grades Tested	Test Window	Type	Purpose
PALS	4K Universal screener	FALL-Oct. 3-21, 2022 WINTER-Jan. 30-Feb 10, 2023 SPRING-May 1-12, 2023	District selected to meet state requirement	PALS is an early literacy screening tool that provides useful information to improve the reading skills of students. It is particularly sensitive to students who are delayed in acquiring reading skills. PALS meets the requirements of the state mandate for an assessment of reading readiness.
Fountas and Pinnell BAS	K-6 Universal screener, diagnostic	<u>K-4</u> Sep. 1-30, Nov. 1-22, Jan. 3-Mar. 3, Apr. 24-May 19  <u>5-6</u> Sep. 1-30, Jan 3-Mar. 3, Apr. 24-May 19 <i>(Note: May required for all 5<sup>th</sup> and basic/minimal for 6<sup>th</sup>)</i>	District selected	F&P BAS is a running record used to screen all students to determine independent and instructional levels in literacy. The BAS provides valuable diagnostic information and instruction is aligned to each individual student's readiness.
AimsWeb & StarCBM	K-10	September 2022-May 2023	Progress monitor	Aimsworld Plus is a progress monitor used to determine student progress if they are receiving an academic intervention.

Assessment	Grades Tested	Test Window	Type	Purpose
STAR Early Literacy	K-2 Universal screener	FALL-Sep. 13-October 8, 2022 WINTER-Jan. 4-Jan. 18, 2023 SPRING-Apr. 25-May 13, 2023		STAR assessment data is a computer adaptive universal screener that can be used for instructional planning, standards benchmarking and progress monitoring. Educators have immediate access to data to inform instruction and practice and identify students for intervention and advanced programming.
STAR – Math	1-2 Universal screener, Achievement, Growth, Progress Monitor	FALL-Sep. 13-27, 2022 WINTER-Jan. 4-Jan. 18, 2023 SPRING-April 25-May 12, 2023		
STAR Reading and Math	1-6 Universal screener, Achievement, Growth, Progress Monitor	FALL-Sep. 13-27, 2022 WINTER-Jan. 4-Jan. 18, 2023 SPRING-April 25-May 12, 2023		

Assessment	Grades Tested	Test Window	Type	Purpose
Wisconsin Forward Exam	3-8 10 (social studies) All students	WI test window March 20-April 28, 2023	State selected	<p>The WI Forward Exam is a computer based assessment that provides in depth information on students achievement on the state standards. Students in grades 3-8 are assessed in English Language Arts and Math. Students in grades 4 and 8 will also be assessed in Science and Social Studies. Students in grade 10 are tested in Social Studies only. Forward Exam data is received in July and provide useful information on student achievement and also year-to-year growth. It is a significant data source for state and federal accountability. The Forward Exam is also used to identify students for intervention and advanced programming.</p>
iReady (ELA and Math)	7-8 Universal screener, achievement	FALL-Sep. 12-23, 2022 WINTER-Jan. 3-13, 2023 SPRING-May 1-12, 2023	District selected	

Assessment	Grades Tested	Test Window	Type	Purpose
Gates/McGinnity	7-8 Achievement placement for AE9	Late winter 2023		
WI PreACT	9 Proficiency and College Readiness 10 Achievement	WI test windows for standard and accommodated testing.  March 20-24 & March 27-31 Window 1  April 3-7 & April 10-14 Window 2  April 17-21 & April 24-28 Window 3		22
PSAT/NMSQT	11 College Prep, Scholarship	October 12, 2022	Student selected	The PSAT/NMSQT is a standardized test that provides first-hand practice for the SAT. It also provides juniors an opportunity to enter National Merit scholarship programs and gain access to college and career planning tools. The PSAT/NMSQT measures critical reading skills, math problem-solving skills, and writing skills.

Assessment	Grades Tested	Test Window	Type	Purpose
WI ACT	11 Proficiency and College Entrance All students	March 7, 2023 Make up April 11, 2023	State selected	The ACT Plus Writing consists of four multiple-choice tests: English, Mathematics, Reading, and Science; and a 40-minute essay test that measures writing skills. It provides important and well-recognized information on the state standards, ACT College Readiness Standards and Benchmarks. Students receive their individual scores within 3-6 weeks following the exam, but we receive our summary data in July. ACT data plays an important role in college admissions and the state and federal accountability system. We also use it as an important measure of academic performance for our school district.
AP	11-12 College Entrance	May 1-12, 2023	Student selected	Capstone assessment for College Board Advanced Placement Courses. AP Exams allow students to earn college placement and sometimes credit. Most students in AP classes take the exam, but students have a choice not to take the exam. In addition to college use, AP data is used to evaluate improvement opportunities for the delivery of our AP courses.

**POLICY ON NON-DISCRIMINATORY TESTING**

346.1

In order that the Waunakee Community School District will be in compliance with state and federal requirements the following policy guidelines are established.

1. Evaluation materials will be validated for the specific purposes for which they are being used.
2. When standardized tests are administered and interpreted in the evaluation of ethnic or minority students, care shall be taken to assure that there is no discrimination due to culturally weighted items.
3. Where ethnic differences preclude valid assessment due to language, social patterns or cultural variation, the special education evaluation shall be made using instruments or procedures which minimize cultural or linguistic bias. These shall include:
  - A. Behavioral rating scales
  - B. Adaptive or developmental scales
  - C. Locally based criterion reference devices
  - D. Cultural compensatory testing
  - E. Observations
  - F. Individually designed testing procedures
4. Tests and other evaluation materials that are used are tailored to assess specific areas of educational need and not merely to provide a single general intelligence quotient.
5. When a student is being evaluated for a possible disability and is suspected of having a disability or handicap which either may invalidate a given test result, or which discriminates against the student because of his/her handicapping condition or disability, care shall be taken to employ evaluation devices which are minimally subject to the influences of such a handicapping condition or disability.
6. Information obtained from all sources will be documented.
7. Evaluation materials will be administered by trained personnel in conformance with the instructions provided by their producer.

8. In the event that the student being evaluated for possible disabilities is of an ethnic heritage in which the primary language is not English, efforts will be made to secure an interpreter in the appropriate language not only during the test administration, but also for the interpretation of the test results.

Legal Ref.: Sections 118.13 Wisconsin Statutes  
Chapter 115, Subchapter V  
IDEA

Cross Ref.: 346, Student Assessment Program  
411 Equal Educational Opportunities  
Special Education Handbook

Adopted: 9/10/84

Revised: March 1994  
January 2002

Waunakee Community School District

## STUDENT PORTFOLIOS

346.3

The Waunakee Community School District Board of Education encourages the use of various approaches to assess student progress and success in the academic setting. Student portfolios are one form of assessment that may be utilized but they may not be utilized as the sole form of assessment nor shall they replace the student report card. They should be seen as a complement to report cards, criterion referenced tests, standardized tests, and other assessment procedures.

A student portfolio is defined as a purposeful collection of a student's work that exhibits to the student, the student's parent(s)/guardian(s), and school personnel the student's efforts, progress and achievement over time. Portfolios may contain written work, photos of projects, video tape or audio tape recordings of performances/reports, computer CD;s, records or reproductions as well as other sources or means of recording or storing student work. A student portfolio shall be established with the mutual participation of the student and teacher(s) and shall contain the following:

- 1) the criterion for selection and judging merit;
- 2) evidence of the student's rationale for selecting the work and what it demonstrates; and
- 3) the student's evaluation of the works' merit or quality.

Two types of portfolios may be maintained in the district: working portfolios and pass on portfolios. A working portfolio is a collection of student's work in progress. A pass on portfolio includes those selected items which are characteristic of the student's performance for a school year.

Items may be removed or deleted from a student's portfolio with the mutual consent of the student and his/her teacher(s) at any time during the student's career in the district.

Pass on portfolios will be considered a part of the student's record and will be subject to the Board's policy regarding the confidentiality of student records. These will be open to students and parents/guardians and will be released to them upon the students' graduation or leaving the school system.

Adopted: March 1996

Waunakee Community School District

Student records shall be maintained in the interest of the student to assist school personnel in providing appropriate educational experiences for each student in the District.

The School Board recognizes the need for confidentiality of student records. Therefore, the District shall maintain the confidentiality of student records at collection, storage, disclosure and destruction. Student records shall be available for inspection or release only with prior approval of the student's parent or guardian or the adult student, except in situations where legal requirements specify release of records without such prior approval.

Building principals shall have primary responsibility for the collection, maintenance and dissemination of student records in accordance with state and federal laws and established District procedures.

Student record notices shall be published annually in accordance with state and federal law.

### Legal References:

#### Wisconsin Statutes

<a href="#">Section 19.65</a>	[rules of conduct; employee training; and security regarding personally-identifiable information]
<a href="#">Section 48.396</a>	[law enforcement officer records]
<a href="#">Section 115.812(2)</a>	[reporting information regarding specified students with disabilities to appropriate county departments]
<a href="#">Section 118.125</a>	[state student records law; policies required]
<a href="#">Section 118.126</a>	[privileged communications related to student alcohol and drug use]
<a href="#">Section 118.127</a>	[law enforcement agency record information]
<a href="#">Section 118.51(8)</a>	[full-time open enrollment; disciplinary and special education records]
<a href="#">Section 118.52(10)</a>	[part-time open enrollment; disciplinary records]
<a href="#">Section 146.82</a>	[confidentiality of patient health care records]
<a href="#">Section 146.83</a>	[access to patient health care records]
<a href="#">Section 252.15</a>	[access to HIV test results]
<a href="#">Section 767.41(7)</a>	[custody and physical placement; parent access to records]
<a href="#">Section 938.396</a>	[access to records; law enforcement and court records]
<a href="#">Section 950.08(2w)</a>	[information provided by district attorney to schools in criminal cases]

#### Federal Laws

<a href="#">20 U.S.C. §1232(g)</a>	[Family Educational Rights and Privacy Act, the federal student records law]
<a href="#">34 C.F.R. part 99</a>	[U.S. Department of Education FERPA regulations]
<a href="#">34 C.F.R. part 300, subpart F</a>	[U.S. Department of Education IDEA regulations; confidentiality and maintenance of records]
<a href="#">20 U.S.C. §7908</a>	[providing high school students' contact information to military recruiters and institutions of higher education]
<a href="#">10 U.S.C. §503(c)</a>	[providing high school students' contact information to military recruiters]
<a href="#">42 U.S.C. §1758(b)(6)</a>	[heightened privacy rules for students' eligibility status and other National School Lunch Program records; see also <a href="#">7 C.F.R. §245.6</a> ]

# STUDENT RECORDS

**Policy 347**

Waunakee Community School District

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## **Cross References:**

WASB PRG 347 Sample Policy 1

**Adoption Date:** December 2003

**Revised:** June 2005  
July 2011

# PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

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*(This sample rule outlines procedures for the general maintenance and confidentiality of student records. It assumes that specific recordkeeping requirements related to particular types of records (e.g., child abuse and neglect reports, free and reduced-price meal application records and information) are addressed in district policies and/or rules related to those topics.)*

- A. **CONTENT OF RECORDS** - Student records include all records relating to an individual student other than notes or records maintained for personal use by teachers or other certified personnel which are not available to others, records necessary for and available only to persons involved in the psychological treatment of a student, records created or received by the District after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student, and law enforcement unit records.
- {Editor's Note: Do law enforcement unit records, as further defined below, exist in your district or do you anticipate having them? If not, you may want to delete their reference within this definition and the references to them from throughout this rule.}*
1. **Progress records** maintained by the school include a statement of courses taken by the student, the student's grades, the student's immunization records, the student's extracurricular activities and the student's attendance record.
  2. **Behavioral records** maintained by the school include psychological tests, personality evaluations, records of conversations, written statements relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, the student's physical health records other than his/her immunization records, law enforcement agency records and any other student records which are not progress records.
    - a. **"Law enforcement agency records"** include those records and other information obtained from a law enforcement agency relating to: (1) the use, possession or distribution of alcohol or a controlled substance by a student enrolled in the District, (2) the illegal possession of a dangerous weapon by a child, (3) an act for which a District student was taken into custody based on the law enforcement officer's belief that he/she violated or was violating any state or federal criminal laws, and (4) the act for which a juvenile enrolled in the District was adjudged delinquent. The law enforcement agency may provide such record information to the District on its own initiative or on the request of the District Administrator or designee, subject to the agency's official policy. The District may also enter into an interagency agreement with law enforcement and other appropriate agencies to provide for the routine disclosure of record information in accordance with state law provisions. If a law enforcement agency denies access to any of the aforementioned records, the District may file a petition with the court seeking access to the records based on legitimate educational or safety interests in the records.
    - b. **"Court records"** include those records received from a court clerk concerning a juvenile enrolled in the District who: (1) has had a petition filed with a court alleging that he/she has committed a delinquent act that would be a felony if committed by

# PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

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an adult, (2) has been adjudged delinquent, (3) has school attendance as a condition of his/her court dispositional order, or (4) has been found to have committed a delinquent act at the request of or for the benefit of a criminal gang that would be a felony if committed by an adult, and has been adjudged delinquent on that basis.

- c. "Physical health records" include basic health information about a student, including the student's immunization records, the student's emergency medical card, a log of first aid and medicine administered to the student, an athletic permit card, a record concerning the student's ability to participate in an education program, the results of any routine screening test such as for hearing, vision or scoliosis, and any follow-up to such test, and any other basic health information as determined by the State Superintendent of Public Instruction.
  - d. "Patient health care records" include all records relating to the health of a student prepared by or under the supervision of a health care provider which are not included in the student "physical health records" definition above. Any record that is required to be treated as a patient health care record is subject to different disclosure and confidentiality requirements than other behavioral records.
3. **Directory data** are those student records designated in the District's student directory data policy *[insert applicable policy code—e.g., 347.1]. [Editor's Note: If the district chooses to include the specific directory data definition, disclosure and notice information within this rule, rather than in a separate student directory data policy, the directory data information should be added to this item (Section A-3) and Section B-5 as appropriate. Refer to the 347.1 Sample Policies in the PRG for sample directory data language.] 347.1*<sup>1</sup>
4. **Law enforcement unit records** include those records maintained by a law enforcement unit of the District that were created for the purpose of law enforcement. A "law enforcement unit of the District" is an individual, office, department, division or other component of the District that is authorized by the School Board to do any of the following: (1) enforce any law or ordinance, or refer to the appropriate authorities a matter for enforcement of any law or ordinance against any person other than the school district; and/or (2) maintain the physical security and safety of a public school. Law enforcement unit records relating to juveniles must be treated according to the same limitations on use and disclosure that apply to a law enforcement agency's treatment of any juvenile's records. *[Editor's Note: Do such law enforcement units exist in your district or do you anticipate having them? If not, you may want to delete this*

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<sup>1</sup> This edit and the inclusion of 347.1 Directory Data policy presumes that WCS D defines some records as directory data. The current WCS D rule says that the district has elected not to designate any pupil records as directory data. Current WCS D policy 347.1 suggests that the district defines some student records relating to pupil participation in sports and other extracurricular activities as directory data. I sent an email to Randy on 8/18/22 seeking a clarification.

# PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

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~~definition and the references to it from throughout this rule.~~

- B. CONFIDENTIALITY** - All student records are confidential, subject to (1) the following exceptions, (2) any other disclosures of student records that may be mandated by state or federal law, and (3) any more specific restrictions on disclosure that are imposed by a state or federal law that protects specific records to a greater extent than provided under these procedures:
1. **Release of Student Records to Students and Parents or Guardians**
    - a. A student or the parent or guardian of a minor student shall, upon request, be shown and provided with a copy of the student's progress records.
    - b. To the extent authorized by state and federal law, an adult student or the parent or guardian of a minor student shall, upon request, be shown the student's behavioral records in the presence of a person qualified to explain and interpret the records. Such a student or parent or guardian shall, upon request, be provided with a copy of the behavioral records.
    - c. To the extent authorized by state and federal law, a parent shall have access to a student's school records regardless of whether the parent has legal custody of the child, unless the parent has been denied periods of physical placement with the child as ordered by the court.
    - d. Personally identifiable information from an adult student's records may be disclosed to the student's parent(s) or guardian(s), without the adult student's written consent, if the adult student is a dependent of his/her parent(s) or guardian(s) under the Internal Revenue Code. However, disclosure under this paragraph shall not be made when an adult student has informed the school, in writing, that the information may not be disclosed.
  2. **Access to Student Records (Other than Patient Health Care Records) by School Officials**
    - a. School officials shall have access to a student's records only if they have a legitimate educational interest, including safety interest, in the record. A "school official" is a person employed by the District who is required by the Department of Public Instruction (DPI) to hold a license; a law enforcement officer(s) who is individually designated by the Board and assigned to the District, a person who is employed by or working on behalf of the District as an administrator, supervisor, instructor or support staff member (including health or medical staff); a person serving on the Board; a person or company with whom the District has contracted to perform a specific task (such as an attorney, hearing officer, auditor, medical consultant or therapist); or a person serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a "legitimate educational interest" if the official needs to review a

# PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

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student record in order to fulfill his/her professional or District responsibility.

- b. Law enforcement agency record information received by the District may be made available to those school officials with legitimate educational interests, including safety interests, in the information. If law enforcement agency record information obtained by the District relates to a District student, the information may also be disclosed to those District employees who have been designated by the Board to receive that information for the purpose of providing treatment programs for District students. The information may not be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, except action under the District's athletic/activity code.
  - c. Law enforcement unit records may be made available to school officials under the same conditions as outlined above regarding access to law enforcement agency record information. ***(Editor's Note: As noted above, you should delete this statement if law enforcement units as defined in Section A-4 above do not exist in your district.)***
  - d. Court records obtained by the District must be disclosed to District employees who work directly with the juvenile named in the records or who have been determined by the Board to have legitimate educational interests, including safety interests, in the information. An employee cannot further disclose the information, and the information cannot be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, except action under the District's athletic/activity code.
  - e. Notwithstanding their confidential status, student records may be used in suspension and expulsion proceedings and by individualized education program teams under special education laws.
3. **Release of Student Progress and Behavioral Records (Other Than Patient Health Care Records) to Others**
- a. Student records shall be disclosed at the request or order of a court. The District will make a reasonable effort to notify a parent or guardian of a court order for disclosure of student records prior to complying with the order except when (1) a parent or guardian is a party to a court proceeding involving child abuse and neglect or dependency matters and the order is issued in the context of such a proceeding; (2) the court order itself prohibits such notice; (3) or any applicable law prohibits disclosure of the order to the parent or guardian.
  - b. If school attendance is a condition of a student's court dispositional order under state law, the District shall notify the court or, if the student is under the supervision of an agency, the agency that is responsible for supervising the student within five days after any violation of the condition by the student.

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- c. 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. When a student's attendance record is disclosed to a law enforcement agency for purposes of truancy, the student's parent or guardian shall be notified of that disclosure as soon as practicable after the disclosure.
- d. A fire investigator shall be provided a copy of a student's attendance record if the fire investigator certifies in writing that: (1) the student is under investigation for arson; (2) the student's attendance record is necessary for the fire investigator to pursue his/her investigation; and (3) the fire investigator will use and further disclose the student's attendance record only for the purpose of pursuing that investigation.
- e. 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 an articulable and significant 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 articulable and significant 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.
- f. For any purpose concerning the juvenile justice system and the system's ability to effectively serve a student, prior to adjudication:
  - (1) The District shall disclose pertinent student records to an investigating law enforcement agency or district attorney if the person to whom the records are disclosed certifies in writing that the records concern the juvenile justice system and the system's ability to effectively serve the student, relate to an ongoing investigation or pending delinquency petition, and will not be disclosed to any other person except as otherwise authorized by law.
  - ~~(2)~~ The District may disclose student records to a city attorney, corporation counsel, agency as defined in section 938.78(1) of the state statutes, intake worker under section 48.067 or 938.067 of the statutes, court of record, municipal court, private school or another school board if disclosure is pursuant to an interagency agreement and the person to whom the records are disclosed certifies in writing that the records will not be disclosed to any other person except as otherwise

# PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

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authorized by law. This disclosure can be made for any purpose concerning the juvenile justice system and the system's ability to serve a student prior to adjudication.

(2)

- g. On request, the District may disclose student records that are pertinent to addressing a student's educational needs to a caseworker or other representative of the Department of Children and Families, a county department under sections 46.215, 46.22 or 46.23 of the state statutes, or a tribal organization, as defined in 25 USC 450b(L), that is legally responsible for the care and protection of the student, if the caseworker or other representative is authorized by the department, county department, or tribal organization to access the student's case plan. *(Editor's Note: Section 118.125(2)(g) of the state statutes authorizes the limited disclosure of student records to representatives of certain social service agencies and tribal organizations, as identified in this paragraph. However, the relevant statutes are ambiguous concerning whether a school board must first enter into a memorandum of understanding, as described in section 115.298(1)(b), in order to use this authority. Therefore, school districts may wish to seek legal advice on the implementation of this exception to student-record confidentiality, including the advisability of executing such a memorandum of understanding with at least those social service agencies with which the district has regular contact.)*<sup>2</sup>
- h. The District, when reporting a crime that may have been committed by a student with a disability, is required to ensure that copies of the student's special education and disciplinary records are provided to the law enforcement authorities to whom the District has reported the crime. However, such disclosures must be pursuant to an applicable provision for disclosure under state and federal student records law. In general, the District will consider the following: (1) whether disclosure of the records is appropriate due to the existence of a health and safety emergency; and (2) if no imminent emergency exists, whether parent or guardian consent has been obtained for the disclosure or whether some other basis exists under the state and federal student records laws.
- i. The District shall make student records available for inspection or, upon request, disclose the contents of student records to authorized representatives of the Department of Corrections, the Department of Health Services, the Department of Children and Families, the Department of Justice, or a district attorney for use in the prosecution of any proceeding or any evaluation conducted under Chapter 980 of the state statutes (related to commitment of sexually violent persons), if the student records involve or relate to an individual who is the subject of the proceeding or

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<sup>2</sup> I highlighted this paragraph to call attention to the editor's note. If you do not have a memorandum of understanding with social service agencies that the district regularly has contact with, we should discuss further or you should seek advice of legal counsel.

# PROCEDURES FOR THE MAINTENANCE AND CONFIDENTIALITY OF STUDENT RECORDS

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evaluation.

j. 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 portion of his/her behavioral records as determined by the person authorizing the release. Law enforcement records may not be made available under this exception unless specifically identified by the adult student or by the parent or guardian of a minor student in the written request.

i.

- k. 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 District will make a reasonable effort to notify a parent or guardian of the subpoena prior to complying with the subpoena except when (1) a parent or guardian is a party to a court proceeding involving child abuse and neglect or dependency matters and the subpoena is issued in the context of such a proceeding; (2) the subpoena itself prohibits such notice; (3) or any applicable law prohibits disclosure of the subpoena to the parent or guardian.
- l. Under conditions where the disclosure is permitted under both state and federal law, the District shall provide to the DPI, or another authorized federal, state, or local agency, or such an agency's authorized representative, any student record information that relates to an audit, evaluation, or any compliance or enforcement activity, that is associated with a federal or state-supported education program. In the case of disclosures to DPI, the District shall provide student records needed by the department to determine compliance with requirements under Chapters 115 to 121 of the state statutes. Student records may also be provided to the DPI for other purposes consistent with both state and federal law.
- m. Information from a student's immunization records shall be made available to state and local health officials to carry out immunization requirements. Summary student immunization data shall be reported. Individual student information for those students out of compliance with school immunization laws shall not be reported to the local health department or to the District Attorney without specific written parental consent for the reporting.
- n. Upon request and after obtaining written consent to the extent required by federal law, the names of students who have withdrawn from school prior to graduation to participate in a program leading to high school graduation or an equivalency diploma shall be provided to the technical college district board in which the public school is located or, for verification of eligibility for public assistance, to the Department of Health Services, the Department of Children and Families or a county department under section 46.215, 46.22 or 46.23 of the state statutes.

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- o. Annually, on or before August 15, the District shall report to the appropriate community services boards established under sections 51.42 and 51.437 the names of students who reside in the District, who are 16 years of age or older, who are not expected to be enrolled in an educational program two years from the date of the report and who may require services under section 51.42 or 51.437 (community mental health, development disabilities, alcoholism and drug abuse). The parent(s) or guardian(s) of such students shall be contacted to obtain informed consent prior to making such a report.
- p. The District shall provide student records necessary for purposes of open enrollment in another public school district to the extent required by law. These records may include copies of any individualized education program (IEP) that has been developed for a student with a disability and the following student discipline-related records:
  - (1) A copy of any expulsion findings and orders or records of any pending disciplinary proceedings involving the student;
  - (2) A written explanation of the reasons for the expulsion or pending disciplinary proceedings; and
  - (3) The length of the term of the expulsion or the possible outcomes of the pending proceedings.

#### 4. **Release of Patient Health Care Records**

All student patient health care records shall remain confidential. They may be released only to persons specifically designated in state law or to other persons with the informed consent of the patient or a person authorized by the patient. Student patient health care records maintained by the District may only be released without informed consent to a District employee or agent if any of the following apply:

- a. The employee or agent has responsibility for the preparation or storage of patient health care records.
- b. Access to patient health care records is necessary to comply with a requirement in federal or state law.

Any record that concerns the results of a test for the presence of HIV or antibody to HIV (the virus which causes acquired immunodeficiency syndrome—AIDS) shall be confidential and may be disclosed only with the informed written consent of the test subject.

#### 5. **Release of Directory Data**

Student directory data may be disclosed only as outlined in the District's student

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directory data policy – *[insert applicable policy code – e.g., 347.1]*. *(Editor's Note: If the district chooses to include the specific student directory data definition, disclosure, and notice information within this rule, rather than in a separate student directory data policy, the directory data information should be added to this item (Section B-5) and Section A-3 as appropriate. Refer to the 347.1 Sample Policies in the PRG for sample directory data language.)*<sup>3</sup>

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When reviewing student directory data requests, as well as when implementing other provisions of these procedures, consideration shall be given to applicable provisions of the public records law and the District's policy and procedures dealing with public records.

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## 6. Transfer of Records

The District shall transfer to another school (including private schools and out-of-state schools) or school district all student records relating to a specific student (including disciplinary and other behavioral records; and not including records treated as patient health care records or certain treatment records for which informed consent for disclosure has not been obtained) if it has received written notice:

- a. from an adult student or the parent or guardian of a minor student that the student intends to enroll in the other school or school district;
- b. from the other school or 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.

The District forwards student records as requested so long as the disclosure is for purposes related to the student's enrollment or transfer.

Student records shall be transferred no later than the next working day of receiving the records transfer request.

## C. MAINTENANCE, DISCLOSURE, AND DESTRUCTION OF STUDENT RECORDS

1. While students are attending school, their records will be maintained in the school of attendance. Upon transfer of the student to another school operated by the District, the records shall be transferred to that school. Patient health care records, law enforcement agency and law enforcement unit records shall be maintained separately from a student's other records.
2. The *[identify the appropriate position – e.g., Director of Student Services, Director of Special Education]* shall provide each building principal with procedural and other

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<sup>3</sup> See footnote 1 above.

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technical assistance for the purpose of ensuring the confidentiality of all student records kept at the principal's school. Except as otherwise provided, all requests for inspection or for transfer to another school or school district should be directed to the building principal who will determine whether inspection or transfer is permitted under state and federal law and these procedures. The building principal or his/her qualified designee shall be present to interpret behavioral records when such a request has been made by the parent, guardian, or adult student. Upon transfer of student records to the central administrative office, the District Administrator or his/her qualified designee shall assume these duties.

3. A record of each request for access to and each disclosure of personally identifiable information from the education records of a student shall be maintained with such

student's records, except when the request is from or the disclosure is to the following person/party:

- the parent or guardian or adult student;
- a school official;
- a party with written consent from the parent or guardian or adult student;
- a party seeking directory data; or
- a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information in response to the subpoena not be disclosed.

- 4.3. When a student ceases to be enrolled in a school operated by the District, the student's remaining student records shall be maintained as follows:

- a. Behavioral records that are identifiable to the student will be maintained for no longer than one year after the student graduated from or last attended the school unless the student or his/her parent or guardian, if the student is a minor, gives permission that the records may be maintained for a longer period of time.
- The District will normally request consent to maintain the behavioral records of such former students (such as students with disabilities) for the period of time that such records may be needed for program audit purposes. If the District does not obtain such consent, the District will arrange to maintain records needed for audit purposes in a manner that is not identifiable to the individual student.

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- b. Student progress records shall be maintained for a minimum of 5 years after the student graduates or ceases to be enrolled in the District *insert if high school transcripts are routinely retained longer than 5 years: " except that a student's high school transcript shall be maintained insert time period that reflects local practice!"*.
- c. Any request for the "directory data" of a former student will be treated according to the District's policy on "directory data," and, to the extent applicable, the District will continue to honor any valid request to opt out of the disclosure of directory information (e.g., such as the opt-out decision that was in effect when the student was last in attendance), unless such opt-out decision is appropriately rescinded.<sup>4</sup>

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5-4. The *insert the appropriate position – e.g., Director of Student Services, Director of Special Education* shall oversee the management of the records of students with disabilities.

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- a. The District shall inform the parent(s) or guardian of a student with disabilities, or the adult student if applicable, when personally-identifiable information that was collected, maintained, or used under the Individuals with Disabilities Education Act (IDEA) is no longer needed to provide educational services to the child. Except for a record of a student's name, address, and phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed, such personally identifiable information must be destroyed at the request of the parent(s), guardian, or adult student. By submitting a timely written request, the parent, guardian, or student may elect to take possession of the personally-identifiable records in lieu of having the records destroyed.
- b. Such a notice that certain records are no longer needed to provide a child with educational services will normally be given at the time the child graduates or otherwise ceases to be enrolled in the District. As further described above, the District will also normally, at the same time, request consent to maintain particular records for the additional time period that they are needed for program audit purposes.

## D. PARENT/GUARDIAN/STUDENT REQUESTS FOR AMENDMENTS OF STUDENT RECORDS

- 1. A parent or guardian or adult student who believes that information contained in the student's records is inaccurate, misleading or otherwise in violation of the student's rights of privacy may request the District to amend the records. Such request shall be addressed in writing to the school official having custody of the records. Within a reasonable time after receiving the request, the person having custody of the records shall decide whether to amend the records in accordance with the request and inform the parent or guardian or adult student of the decision.

<sup>4</sup> See footnote 1 above regarding directory data. If WCSD does not define any student records as directory data, this paragraph may need editing or to be deleted.

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2. If the person having custody of the records refuses to amend the records, he/she shall inform the parent or guardian or adult student of the refusal and advise him/her of the right to a hearing. The request for the hearing shall be filed in writing with the District

Administrator or designee. The parent or guardian or adult student shall be given notice of the date, place and time of the hearing reasonably in advance of the hearing.

- a. The hearing shall be conducted by the District Administrator or designee, who must be someone who does not have a direct interest in the outcome of the hearing.
- b. The parent or guardian or adult student shall be afforded the opportunity to present relevant evidence and may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney.
- c. The decision of the hearing officer shall be based solely upon the evidence presented and shall include a summary of the evidence and the reason for the decision.
- d. The hearing shall be held and the parent(s) or guardian or adult student informed of the hearing officer's decision in writing within a reasonable period of time after the hearing.
- e. If the hearing officer decides that the information is inaccurate, misleading or otherwise in violation of the student's privacy rights, the education records of the student shall be amended accordingly.
- f. If the hearing officer decides that the information is not inaccurate, misleading or otherwise in violation of the student's privacy rights, the District shall inform the parent or guardian or adult student of the right to place a statement commenting upon the information in the education records and/or describing reasons for disagreeing with the decision of the hearing officer.

## **E. COMPLAINTS REGARDING ALLEGED NONCOMPLIANCE WITH FEDERAL REQUIREMENTS**

Adult students or parents or guardians of minor students may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education for alleged District noncompliance with requirements of the federal Family Educational Rights and Privacy Act (FERPA).

## **F. ANNUAL NOTICE**

Parents, guardians and adult students shall be notified annually of the following: (1) their rights to inspect, review and obtain copies of student records; (2) their rights to request the amendment of the student's school records if they believe the records are inaccurate, misleading or otherwise in violation of the student's rights of privacy; (3) their rights to consent to the disclosure of the student's school records, except to the extent state and federal law

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authorizes disclosure without consent; and (4) their right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education.

The notice shall be distributed to parents and guardians and adult students at the beginning of each school year. When a student transfers into the District after the above notice has been given, the student and his/her parent(s) or guardian shall receive a copy of the notice at the time and place of enrollment.

## G. OTHER NOTICES

In a manner consistent with the requirements of applicable law, the District shall provide parents, guardians, and adult students with notice of the District's student directory data designations and their right to opt-out of the release of such information as student directory data.<sup>5</sup>

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*Include the following only if the school district receives funds under the Elementary and Secondary Education Act and operates a high school: "With respect to high school students, the District shall also provide parents, guardians, and adult students with notice of the rights of parents, guardians, and eligible students to direct the District not to release certain student contact information to military recruiters or institutions of higher education without first obtaining prior written consent from the parent or guardian of a minor student or (if applicable) the adult student. Unless a parent, guardian, or eligible student has affirmatively opted out of such disclosures of student contact information, federal law requires the District (1) to provide the names, addresses, and phone numbers of high school students to military recruiters and to institutions of higher education upon request; and (2) to additionally provide high school students' electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available) to a military recruiter upon request."*

## Cross References:

WASB PRG 347 Sample Rule 1

**Adoption Date:** July 2011

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<sup>5</sup> See Footnote 1 above regarding directory data.