

MENOMINEE INDIAN SCHOOL DISTRICT

347.1

STUDENT DIRECTORY DATA

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 spots
- 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 data of birth
- Student's home address
- Student's telephone number
- Student's place of birth (most district's exclude this item)

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

1. The District is 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, as applicable, has notified the District that such information shall not be released without prior written consent. The District shall notify adult students and parents and guardians of high school students under the age of 18 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.
2. 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.
3. The District received requests for access to student directory data from third parties that are not affiliated with the District in any way, including requests that seek student directory data for commercial or marketing purposes. Unless a parent, guardian or adult student has opted out of such disclosures, the District reviews such requests under applicable law, which may result in the release of student directory data in response to such requests.

Directory Data Notice and Opt-Out Decisions

Upon a student's initial enrollment and registration in the District, and annually thereafter for continuing students, the District will provide parents, guardians, and adult students with notice of the District's designation of student directory, opt-out rights, and opt-out procedures. (Include to the extent consistent with local practices: "The 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.")

Parents and guardians of students who are newly enrolled or re-enrolling after a gap in enrollment (or an enrolling or re-enrolling 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 any such 14 day period, the District will avoid the release of student directory data under this policy. Annually, the District also administers a 14 day non-disclosure period coinciding with the beginning of each school year. During this annual period, the parent or guardian of a continuing student (or an adult continuing student) may make or adjust directory data opt-out decisions.

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.

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:

- Family Educational Rights and Privacy Act - (federal student records 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(c)

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