

Categories of Pupil Records/Health Records

There are three primary types of pupil records: progress, behavioral and patient health care records. Each category is mutually exclusive (i.e., all pupil records can be assigned to just one of these three categories).

Progress Records ¹	Behavioral Records ²	Patient Health Care Records ^{3,4}
<ul style="list-style-type: none"> • grades • courses • attendance • extra curricular activities • lead screening⁵ • immunizations⁵ 	<ul style="list-style-type: none"> • psychological tests • personality evaluations • records of conversations about students • statements about a student's behavior • discipline records • achievement or ability tests • academic & behavior screening results • law enforcement & juvenile justice records • court orders • IEP reports, plans, interventions & activities, including related services • RtI interventions & student responses • log of first aid⁵ • log of medication administration⁵ • hearing, vision, & scoliosis screening & follow-up records⁵ • emergency medical card⁵ • any other pupil records that are not progress records (with the exception of patient health care records) 	<ul style="list-style-type: none"> • medical or health reports from health care providers, including mental health & AOD treatment • medical diagnoses • records of conversations with physicians & other health care providers • summary of evaluation reports written by health care providers in the school that discuss a student's health or medical history • individual health care plans, emergency action plans or other treatment plans regarding a student's health developed by health care providers in the school setting (e.g., nurse, OT, PT) • 504 or other accommodation plans that include medical diagnoses or other supporting documentation by health care providers in the school setting (e.g., nursing diagnoses, medical orders, professional judgments concerning a student's health) • Medicaid documentation • any pupil record created by a health care provider other than what is identified as a pupil physical health record⁵

¹ Progress records must be maintained for at least five (5) years after a student graduates or ceases to be enrolled [Wis. Stat. 118.125(3)].

² Behavioral records may be maintained for no longer than one (1) year after a student graduates or ceases to be enrolled, unless the adult student specifies in writing that the records may be retained longer [Wis. Stat. 118.125(3)].

³ Patient health care records are subject to a different and higher confidentiality standard as delineated in Wis. Stat. 146.81-84.

⁴ There are no legal provisions addressing the retention period for patient health care records. However, a retention period of 5-7 years is referenced in state law for other kinds of records.

⁵ Record of immunizations, first aid and medication administration logs, emergency medical and athletic permit cards, record about a student's ability to participate in an education program, and some physical health screening are also identified as pupil physical health records [Wis. Stat. 118.125(1)(cm)]. **Pupil physical health records are behavioral records.**

Directory Data includes student name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic

teams, dates of attendance, photographs, degrees and awards received and the names of schools most recently previously attended by the student [Wis. Stat. 118.125(1)(b)].

Personal records, psychological treatment records, and law enforcement unit records are not pupil records [Wis. Stat. 118.125(1)(d)].

Rights related to pupil records transfer from the parent/guardian to the student when the student turns 18 years of age or is otherwise emancipated [34 CFR § 99.5; Wis. Stat. 118.125(2)(k)].

Pupil Record Category Decision Tree

