

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 309.55.06	<b>Page</b> 1 of 3
	<b>Original Effective Date:</b> 01/19/18	<b>New Effective Date:</b> 12/21/20
	<b>Supersedes:</b> 309.55.06	<b>Dated:</b> 01/19/18
	<b>Administrator's Approval:</b> Makda Fessahaye, Administrator	
	<b>Required Posting or Restricted:</b> <input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted	
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Notice of Rights Under the Family Educational Rights and Privacy Act		

**POLICY**

The Division of Adult Institutions shall maintain compliance with all state and federal student record and related confidentiality requirements.

**REFERENCES**

Wisconsin Statutes s. 118.125

Individuals with Disabilities Education Act, Part B, 34 C.F.R.300.612

Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, 34 C.F.R. s. 99.7

DAI Policy 309.55.03 – Adult Basic Education

DAI Policy 309.56.01 –Technology

**DEFINITIONS, ACRONYMS AND FORMS**

COMPAS – Correctional Offender Management Profiling for Alternative Sanctions

DOC-2828– Family Educational Rights and Privacy Act Annual Notice Acknowledgement

DOC-2828S – Family Educational Rights and Privacy Act Annual Notice Acknowledgement SPANISH version

FERPA – Family Educational Rights and Privacy Act

LEA – Local Educational Agency

PII – Personally Identifiable Information

POC-0092 - Wisconsin Department of Corrections Notification of Rights under FERPA for Secondary and Postsecondary Institutions

POC-0092S – Wisconsin Department of Corrections Notification of Rights under FERPA for Secondary and Postsecondary Institutions – SPANISH version

**PROCEDURE****I. Requirements**

- A. Under FERPA, the LEA shall provide annual notice to students enrolled in adult basic education or a postsecondary education of their rights under

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FERPA, including the right to consent to the disclosure of PII in their education records.

- B. The Education Director/designee shall update the DOC-2828 annually for the duration of the student's enrollment in an LEA and retain it in the institution Student Education File.
1. To update the DOC-2828 and meet the notice requirements of FERPA Education Directors/designee shall, annually, by the first business day of August:
    - a. Post a copy of POC-0092 and POC-0092S on LEA bulletin boards and/or in areas in the LEA which are visible by students.
    - b. Distribute a copy of POC-0092 or POC-0092S to each student at the LEA.
    - c. Ensure the inmate signs the DOC-2828.
    - d. If the inmate refuses to sign the DOC-2828 after being informed of the Acknowledgement of Notice, the Education Director/designee shall document the refusal on the DOC-2828.
    - e. Add a note in COMPAS indicating the DOC-2828 was signed and saved in the inmates education file.
- C. Upon completion, the DAI Education Director/designee shall update and post the POC-0092 and POC-0092S on the DOC public website.

**Administrator's Approval:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_  
Makda Fessahaye, Administrator

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Chippewa Valley Correctional Treatment Facility		
<b>Original Effective Date:</b> 01/19/18	<b>DAI Policy Number:</b> 309.55.06	<b>Page</b> 3 of 3
<b>New Effective Date:</b> 05/07/21	<b>Supersedes Number:</b> 309.55.06	<b>Dated:</b> 01/19/18
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Notice of Rights Under the Family Educational Rights and Privacy Act		
<b>Will Implement</b> <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b> Timothy A. Nelson, Warden		

**FACILITY PROCEDURE**

The Deputy Warden/designee will be responsible for facility FERPA duties.