

Education Records / Records of Students with Disabilities

Education records are those records maintained by the district that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in their educational development by providing pertinent information for the student, their teachers and their parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

The district shall maintain confidential education records of students in a manner that conforms to state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate, and verifiable and should have a direct and significant bearing upon the student's educational development.

The district annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.

The district shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. The district provides to parents of a student with a disability or to an adult student with a disability the opportunity at any reasonable time to examine all of the records of the district pertaining to the student's identification, evaluation, educational placement and free appropriate public education. The district provides parents or an adult student, on request, a list of the types and locations of education records collected, maintained and used by the district.

The district annually notifies parents of all students, including adult students, currently in attendance that they have to right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB - Personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the district to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the district's education records policy.

Regarding records to be released to district officials within the agency, the district's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials have legitimate educational interests.

The district annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (See Board policy JOA - Directory Information).

The district shall give full rights to education records to either parent, unless the district has been provided legal evidence that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

Records requested by another district to determine a student’s appropriate placement may not be withheld.

A copy of this policy and administrative regulation shall be made available upon request to parents and students 18 years or older or emancipated and the general public.

END OF POLICY

Legal Reference(s):

ORS 30.864	ORS 326.580	OAR 166-400-0010 - 166-400-0065
ORS 107.154	ORS 339.260	OAR 581-021-0220 - 581-021-0430
ORS 326.565	ORS 339.270	OAR 581-022-2260
ORS 326.575	ORS 343.177(3)	OAR 581-022-2270

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2006).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2006).

Cross Reference(s):

IGBAB/JO-AR - Education Records / Records of Students with Disabilities Management
JO/IGBAB - Education Records / Records of Students with Disabilities
JO/IGBAB-AR - Education Records / Records of Students with Disabilities Management
JOA - Directory Information
JOB - Personally Identifiable Information