

## **Student Education Records\*\***

Education records are those records maintained by MESD 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 his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

MESD shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

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

MESD shall annually notify parent(s) 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 MESD may impose certain restrictions and/or penalties until fees, fines or damages are paid. Records requested by another district to determine a student's appropriate placement shall not be withheld. Students or parent(s) shall receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice shall include the reason the student owes money to MESD, an itemization of the fees, fines or damages owed and the right of parent(s) to request a hearing. The MESD may pursue the fees, fines or damages through a private collection agency or other method available. MESD may waive fees, fines and charges if the student or parent(s) cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the Superintendent.

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

MESD shall annually notify parent(s) of all students, including adult students, currently in attendance that they have the 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 MESD to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of MESD's education records policy.

Regarding records to be released to MESD officials within the agency, MESD's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials have legitimate educational interests. MESD officials may also include a volunteer or contractor who performs an institutional service on behalf of the MESD.

MESD shall annually notify parent(s) and adult students of what it considers to be directory information and the disclosure of directory information (See Board Policy JOA - Directory Information).

MESD shall give full rights to education records to either parent, unless MESD has been provided an active court order that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

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

END OF POLICY

**Legal Reference(s):**

<a href="#">ORS 30.864</a>	<a href="#">ORS 339.270</a>	<a href="#">OAR 166-400-0010 to 166-450-0010</a>
<a href="#">ORS 107.154</a>	<a href="#">ORS 343.177(3)</a>	<a href="#">OAR 581-021-0220 to -0430</a>
<a href="#">ORS 326.565</a>		<a href="#">OAR 581-022-1660</a>
<a href="#">ORS 326.575</a>		<a href="#">OAR 581-022-1670</a>

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 (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).  
 Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2006).

**MESD Policy Cross Reference(s):**

EH - Electronic Data Management	IMB - Student Achievement Program
IA/IAA - Instructional Goals	JHDA - Psychological Testing of Students
IGBAF - Special Education – Individualized Education Program (IEP)**	JO/IGBAB - Education Records/Records of Students with Disabilities
IGBAJ - Special Education – Free Appropriate Public Education (FAPE)	JOA - Directory Information
IJA - Confidentiality in Counseling and Guidance Support	JOB - Personally Identifiable Information
IK - Academic Achievement **	JN - Student Fees, Fines and Charges
IL - Assessment Program	KAB - Parental Rights