

Medford School District 549C

Code: DBEA
Adopted: 4/16/02
Revised/Readopted: 3/11/19; 9/21/23; xx/xx/xx
Orig. Code(s): DBEA

Budget Committee

By law, the budget committee is charged with making recommendations concerning financial priorities.

The budget committee will have the responsibility for reviewing the financial program of the district, reviewing the proposed district budget as presented by the superintendent and recommending an annual or biennial district budget in keeping with the provisions of applicable state laws.

Educational policy decisions are the responsibility of the Board, not the budget committee. The committee does not have the authority to add programs or to approve additional personnel or increase salaries. The committee may, alternatively, set an amount that changes the recommended budget and may request the administration make such changes in accordance with priorities set by the Board.

The following will govern the make-up and process of establishing the district's budget committee:

1. The budget committee consists of seven members appointed by the Board plus the elected Board members. To be eligible for appointment, the appointive member must:
 - a. Live and be registered to vote in the district;
 - b. Not be an officer, agent or employee of the district.
2. At least one member of the budget committee must be a member of the district's educational equity advisory committee;¹
3. No budget committee member may receive any type of compensation from the district;
4. At its first meeting in October, the Board will identify vacant budget committee positions, which must be filled by appointment of the Board. The Board will announce the vacancies and receive applications from interested persons during the month of November. Such applications will include a signed statement that the applicant is willing to serve as a member of the budget committee and to adhere to the policies of the district. The Board may appoint budget committee members to as many consecutive terms as deemed appropriate;
5. At the first regular Board meeting in December, the Board will review the names of persons filing applications and names of those persons who have served previously and are willing to be reappointed. At the first regular meeting in January, the Board will appoint persons to fill the vacant positions;

¹ The budget committee is not required to include a member of the educational equity advisory committee until a vacancy on the budget committee occurs by a member who is not also a member of the school district board.

6. The appointive committee members of a budget committee in a district that prepares an annual budget will be appointed for three-year terms. The terms will be staggered so that, as near as practicable, one-third of the appointive members' terms end each year;
7. If any appointive member is unable to complete the term for which the member was appointed, the Board will announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting.

Budget Committee Responsibilities

1. At its first meeting after appointment, the budget committee will elect a presiding officer from among its members. It may also establish other ground rules as necessary for successful operation of the committee;
2. A majority of the constituted committee is required for passing an action item. Majority for a 14-member budget committee is 8. Therefore, if only 8 members are present, a unanimous vote is needed for passing an action;
3. The budget committee shall hold one or more meetings to receive the budget message, receive the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. The meetings of the budget committee are open to the public;
4. The budget committee may request from the superintendent or business manager any information used in the preparation of or for revising the budget document. The committee may request the attendance of any district employee at its meetings. The budget committee will approve the budget document as submitted by the superintendent or as subsequently revised by the committee;
5. After approval of the original or revised budget document, the budget committee's duties cease. The hearing on the approved budget is held by the Board.

END OF POLICY

Legal Reference(s):

[ORS 174.130](#)
[ORS 192.610 - 192.695](#)
[ORS 294.305 - 294.565](#)

[ORS 328.542](#)
[ORS 329.711](#)

[ORS 433.835 - 433.875](#)
[OAR 581-022-2307](#)

Medford School District 549C

Code: DBEA
Adopted: 4/16/02
Revised/Readopted: 3/11/19; 9/21/23; xx/xx/xx
Orig. Code(s): DBEA

Budget Committee

By law, the budget committee is charged with making recommendations concerning financial priorities.

The budget committee will have the responsibility for reviewing the financial program of the district, reviewing the proposed district budget as presented by the superintendent and recommending an annual or biennial district budget in keeping with the provisions of applicable state laws.

Educational policy decisions are the responsibility of the Board, not the budget committee. The committee does not have the authority to add programs or to approve additional personnel or increase salaries. The committee may, alternatively, set an amount that changes the recommended budget and may request the administration make such changes in accordance with priorities set by the Board.

The following will govern the make-up and process of establishing the district's budget committee:

1. The budget committee consists of seven members appointed by the Board plus the elected Board members. To be eligible for appointment, the appointive member must:
 - a. Live and be registered to vote in the district;
 - b. Not be an officer, agent or employee of the district.
2. At least one member of the budget committee must be a member of the district's educational equity advisory committee;¹
3. No budget committee member may receive any type of compensation from the district;
4. At its first meeting in October, the Board will identify vacant budget committee positions, which must be filled by appointment of the Board. The Board will announce the vacancies and receive applications from interested persons during the month of November. Such applications will include a signed statement that the applicant is willing to serve as a member of the budget committee and to adhere to the policies of the district. The Board may appoint budget committee members to as many consecutive terms as deemed appropriate;
5. At the first regular Board meeting in December, the Board will review the names of persons filing applications and names of those persons who have served previously and are willing to be reappointed. At the first regular meeting in January, the Board will appoint persons to fill the vacant positions;

¹ The budget committee is not required to include a member of the educational equity advisory committee until a vacancy on the budget committee occurs by a member who is not also a member of the school district board.

6. The appointive committee members of a budget committee in a district that prepares an annual budget will be appointed for three-year terms. The terms will be staggered so that, as near as practicable, one-third of the appointive members' terms end each year;
7. If any appointive member is unable to complete the term for which the member was appointed, the Board will announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting.

Budget Committee Responsibilities

1. At its first meeting after appointment, the budget committee will elect a presiding officer from among its members. It may also establish other ground rules as necessary for successful operation of the committee;
2. A majority of the constituted committee is required for passing an action item. Majority for a 14-member budget committee is 8. Therefore, if only 8 members are present, a unanimous vote is needed for passing an action;
3. The budget committee shall hold one or more meetings to receive the budget message, receive the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. The meetings of the budget committee are open to the public;
4. The budget committee may request from the superintendent or business manager any information used in the preparation of or for revising the budget document. The committee may request the attendance of any district employee at its meetings. The budget committee will approve the budget document as submitted by the superintendent or as subsequently revised by the committee;
5. After approval of the original or revised budget document, the budget committee's duties cease. The hearing on the approved budget is held by the Board.

END OF POLICY

Legal Reference(s):

[ORS 174.130](#)
[ORS 192.610 - 192.695](#)
[ORS 294.305 - 294.565](#)

[ORS 328.542](#)
[ORS 329.711](#)

[ORS 433.835 - 433.875](#)
[OAR 581-022-2307](#)

Medford School District 549C

Code: IGBAB/JO-AR
Adopted: 11/17/14
Revised/Readopted: 6/17/19; 9/19/19; xx/xx/xx
Orig. Code: IGBAB/JO-AR

Education Records Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel, and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee, and that are not available for use for any other purpose. (Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section);
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are
 - (1) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained, or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district;
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student, which includes the following:

- a. Name and address of the educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date ~~and place of birth~~;

- d. Name of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school.; and
- ~~l. Such additional information as the district may prescribe.~~

~~While the district may also request the social security number of the student, the district will include the social security number on the permanent record only if the eligible student or parent fulfills with the request.~~ The request shall include notification to the eligible student or the student's parent(s) and/or guardians that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The district shall protect the confidentiality of personally-identifiable information at collection, storage, disclosure, and destruction stages.
- c. The district shall identify one official at each school to assume responsibility for ensuring the confidentiality of any personally-identifiable information.
- d. All persons collecting or using personally-identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents/Guardians and Eligible Students

The district shall annually notify parents/guardians and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents/guardians or eligible students of their rights. This notification shall state that the parent(s)/guardian(s) or eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally-identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents/guardians or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s)/guardian(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of the parents, transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

4. Parent/Guardian or Eligible Student Right to Inspect and Review

The district shall permit an eligible student or student's parent(s)/guardian(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s)/guardian(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case, the eligible student or student's parent(s)/guardian(s) may inspect, review, or be informed of only the specific information about the student.

The district shall comply with a request for access to records

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an IEP, or any due process hearing, or any resolution session related to a due process hearing¹; and
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s)/guardian(s) or eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

While the district is not required to give an eligible student or student's parent(s)/guardian(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s)/guardian(s) may, at his/her expense, have those records reviewed by a physician or other appropriate professional of his/her choice.

If an eligible student or student's parent(s)/guardian(s) so requests, the district shall give the eligible student or student's parent(s)/guardian(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent/guardian or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s)/guardian(s) with a copy of test protocols, test questions and answers, and other documents described in Oregon Revised Statutes (ORS) 192.501(4) unless authorized by federal law.

Raw data collection records such as test protocols, notes, drafts, and other information are destroyed once this information is summarized into progress reports, evaluation reports or other educational documents.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student's education records will be maintained at the school building at which the student is in attendance except for special education records, which may be located at another designated location within the district. The administrator/principal or his/her designee shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally-Identifiable Information

Personally-identifiable information (as defined by School Board Policy JOB) shall not be released without prior written consent of the eligible student or student's parent(s)/guardian(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor, or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment; Contractors, consultants, volunteers, or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs and institutional service or function for which the district would otherwise use employees, is under direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally-identifiable information.

The district shall maintain for public inspection, a listing of the names and positions of individuals within the district who have access to personally-identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district.
- c. The disclosure is to authorize representatives of The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state supported education programs, or the enforcement of or compliance with federal or state supported education programs, or the enforcement of or compliance with federal or state regulations.
- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section, “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to
 - (1) Develop, validate, or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope, and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally-identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents/guardians or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that

- (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally-identifiable information being disclosed;
 - (3) Specifies the personally-identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally-identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally-identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally-identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s)/guardian(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s)/guardian(s) or student;
- i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect of dependency matters;
- j. The disclosure is to the parent(s)/guardian(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally-identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for determination for the disclosure of the information from the educational records.
- In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA - Directory Information);
- m. The disclosure is to the parent(s)/guardian(s) of a student who is not an eligible student or to an eligible student;

- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program, or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061
- p. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents/guardians, students, school officials, and any other parties to whom the district discloses personally-identifiable information from educational records.

6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally-identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent/guardian, eligible student, school official, or his/her assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure, the record must include:

- a. The party or parties who have requested or received personally-identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally-identifiable information:

- a. The parent(s)/guardian(s) or eligible student;
- b. The school official or his/her assistants who are responsible for the custody of the records; or
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s)/guardian(s) believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student’s rights of privacy or other rights, he/she may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student’s education record shall become a permanent part of the student’s education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s)/guardian(s) shall be informed of the decision and of his/her right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents/Guardians or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s)/guardian(s), the eligible student or student's parent(s)/guardian(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading, or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent/guardian. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time, and location for the hearing, and give the student's parent/guardian or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or his/her designee;
- b. A member chosen by the eligible student or student's parent(s)/guardian(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent/guardian or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. The hearing shall be private. Persons other than the student, parent/guardian, witnesses, and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s)/guardian(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s)/guardian(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s)/guardian(s) of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement;

- a. Is maintained as part of the student's records as long as the record or contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion is disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s)/guardian(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency, or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request.

Readable copies of the student's permanent records shall be retained for one year. Such special education records as are necessary to document compliance with state and federal audits, shall be retained for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, such records shall be retained until the student reaches age 21 or 5 years after last seen, whichever is longer.

Education records shall not be withheld for student fees, fines, and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

11. Required Disclosure Statement related to Social Security Numbers

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

"Providing your social security number (SSN) is voluntary. If you provide it, the school district will use your SSN for record keeping, research, and reporting purposes only. The school district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described."

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes school districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps school districts and the state research, plan, and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The school district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training, and job market trends. The information is also used for planning, research, and program improvement.

State and private universities, colleges, community colleges, and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Medford School District 549C

Code: IGBAB/JO-AR
Adopted: 11/17/14
Revised/Readopted: 6/17/19; 9/19/19; xx/xx/xx
Orig. Code: IGBAB/JO-AR

Education Records Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel, and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee, and that are not available for use for any other purpose. (Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section);
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are
 - (1) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained, or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district;
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student, which includes the following:

- a. Name and address of the educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date;

- d. Name of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school.

The district may request the social security number of the student. The request shall include notification to the eligible student or the student's parent(s) and/or guardians that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The district shall protect the confidentiality of personally-identifiable information at collection, storage, disclosure, and destruction stages.
- c. The district shall identify one official at each school to assume responsibility for ensuring the confidentiality of any personally-identifiable information.
- d. All persons collecting or using personally-identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents/Guardians and Eligible Students

The district shall annually notify parents/guardians and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents/guardians or eligible students of their rights. This notification shall state that the parent(s)/guardian(s) or eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally-identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents/guardians or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s)/guardian(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of the parents, transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

4. Parent/Guardian or Eligible Student Right to Inspect and Review

The district shall permit an eligible student or student's parent(s)/guardian(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s)/guardian(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case, the eligible student or student's parent(s)/guardian(s) may inspect, review, or be informed of only the specific information about the student.

The district shall comply with a request for access to records

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an IEP, or any due process hearing, or any resolution session related to a due process hearing¹; and
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s)/guardian(s) or eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s)/guardian(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s)/guardian(s) may, at his/her expense, have those records reviewed by a physician or other appropriate professional of his/her choice.

If an eligible student or student's parent(s)/guardian(s) so requests, the district shall give the eligible student or student's parent(s)/guardian(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent/guardian or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s)/guardian(s) with a copy of test protocols, test questions and answers, and other documents described in Oregon Revised Statutes (ORS) 192.501(4) unless authorized by federal law.

Raw data collection records such as test protocols, notes, drafts, and other information are destroyed once this information is summarized into progress reports, evaluation reports or other educational documents.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student's education records will be maintained at the school building at which the student is in attendance except for special education records, which may be located at another designated location within the district. The administrator/principal or his/her designee shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally-Identifiable Information

Personally-identifiable information (as defined by School Board Policy JOB) shall not be released without prior written consent of the eligible student or student's parent(s)/guardian(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor, or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment; Contractors, consultants, volunteers, or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs and institutional service or function for which the district would otherwise use employees, is under direct control of the district with respect to the use

and maintenance of education records, and is subject to district policies concerning the redisclosure of personally-identifiable information.

The district shall maintain for public inspection, a listing of the names and positions of individuals within the district who have access to personally-identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district.
- c. The disclosure is to authorize representatives of The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state supported education programs, or the enforcement of or compliance with federal or state supported education programs, or the enforcement of or compliance with federal or state regulations.
- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section, “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to
 - (1) Develop, validate, or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope, and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally-identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents/guardians or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that
 - (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally-identifiable information being disclosed;
 - (3) Specifies the personally-identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally-identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally-identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally-identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s)/guardian(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s)/guardian(s) or student;
- i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect of dependency matters;
- j. The disclosure is to the parent(s)/guardian(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally-identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to

- applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- l. The disclosure is information the district has designated as “directory information” (See Board policy JOA - Directory Information);
 - m. The disclosure is to the parent(s)/guardian(s) of a student who is not an eligible student or to an eligible student;
 - n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program, or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
 - o. The disclosure is to the Board during an executive session pursuant to ORS 332.061
 - p. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents/guardians, students, school officials, and any other parties to whom the district discloses personally-identifiable information from educational records.

6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally-identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent/guardian, eligible student, school official, or his/her assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure, the record must include:

- a. The party or parties who have requested or received personally-identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally-identifiable information:

- a. The parent(s)/guardian(s) or eligible student;
- b. The school official or his/her assistants who are responsible for the custody of the records; or
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s)/guardian(s) believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student’s rights of

privacy or other rights, he/she may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s)/guardian(s) shall be informed of the decision and of his/her right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents/Guardians or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s)/guardian(s), the eligible student or student's parent(s)/guardian(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading, or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent/guardian. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time, and location for the hearing, and give the student's parent/guardian or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or his/her designee;
- b. A member chosen by the eligible student or student's parent(s)/guardian(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent/guardian or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. The hearing shall be private. Persons other than the student, parent/guardian, witnesses, and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s)/guardian(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s)/guardian(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s)/guardian(s) of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement;

- a. Is maintained as part of the student's records as long as the record or contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion is disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s)/guardian(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency, or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request.

Readable copies of the student's permanent records shall be retained for one year. Such special education records as are necessary to document compliance with state and federal audits, shall be retained for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, such records shall be retained until the student reaches age 21 or 5 years after last seen, whichever is longer.

Education records shall not be withheld for student fees, fines, and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

11. Required Disclosure Statement related to Social Security Numbers

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the school district will use your SSN for record keeping, research, and reporting purposes only. The school district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes school districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps school districts and the state research, plan, and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The school district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training, and job market trends. The information is also used for planning, research, and program improvement.

State and private universities, colleges, community colleges, and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Medford School District 549C

Code: JO/IGBAB-AR
Adopted: 11/17/14
Revised/Readopted: 9/19/19; xx/xx/xx
Orig. Code: JO/IGBAB-AR

Education Records Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel, and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee, and that are not available for use for any other purpose. (Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section);
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are
 - (1) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained, or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district;
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student, which includes the following:

- a. Name and address of the educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date ~~and place of birth~~;

- d. Name of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school.; and
- ~~l. Such additional information as the district may prescribe.~~

~~While the district may also request the social security number of the student, the district will include the social security number on the permanent record only if the eligible student or parent fulfills with the request.~~ The request shall include notification to the eligible student or the student's parent(s) and/or guardians that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The district shall protect the confidentiality of personally-identifiable information at collection, storage, disclosure, and destruction stages.
- c. The district shall identify one official at each school to assume responsibility for ensuring the confidentiality of any personally-identifiable information.
- d. All persons collecting or using personally-identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents/Guardians and Eligible Students

The district shall annually notify parents/guardians and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents/guardians or eligible students of their rights. This notification shall state that the parent(s)/guardian(s) or eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally-identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents/guardians or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s)/guardian(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of the parents, transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

4. Parent/Guardian or Eligible Student Right to Inspect and Review

The district shall permit an eligible student or student's parent(s)/guardian(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s)/guardian(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case, the eligible student or student's parent(s)/guardian(s) may inspect, review, or be informed of only the specific information about the student.

The district shall comply with a request for access to records

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an IEP, or any due process hearing, or any resolution session related to a due process hearing¹; and
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s)/guardian(s) or eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

While the district is not required to give an eligible student or student's parent(s)/guardian(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s)/guardian(s) may, at his/her expense, have those records reviewed by a physician or other appropriate professional of his/her choice.

If an eligible student or student's parent(s)/guardian(s) so requests, the district shall give the eligible student or student's parent(s)/guardian(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent/guardian or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s)/guardian(s) with a copy of test protocols, test questions and answers, and other documents described in Oregon Revised Statutes (ORS) 192.501(4) unless authorized by federal law.

Raw data collection records such as test protocols, notes, drafts, and other information are destroyed once this information is summarized into progress reports, evaluation reports or other educational documents.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student's education records will be maintained at the school building at which the student is in attendance except for special education records, which may be located at another designated location within the district. The administrator/principal or his/her designee shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally-Identifiable Information

Personally-identifiable information (as defined by School Board Policy JOB) shall not be released without prior written consent of the eligible student or student's parent(s)/guardian(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor, or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment; Contractors, consultants, volunteers, or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs and institutional service or function for which the district would otherwise use employees, is under direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally-identifiable information.

The district shall maintain for public inspection, a listing of the names and positions of individuals within the district who have access to personally-identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district.
- c. The disclosure is to authorize representatives of The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state supported education programs, or the enforcement of or compliance with federal or state supported education programs, or the enforcement of or compliance with federal or state regulations.
- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section, “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to
 - (1) Develop, validate, or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope, and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally-identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents/guardians or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that

- (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally-identifiable information being disclosed;
 - (3) Specifies the personally-identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally-identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally-identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally-identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s)/guardian(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s)/guardian(s) or student;
- i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect of dependency matters;
- j. The disclosure is to the parent(s)/guardian(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally-identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for determination for the disclosure of the information from the educational records.
- In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA - Directory Information);
- m. The disclosure is to the parent(s)/guardian(s) of a student who is not an eligible student or to an eligible student;

- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program, or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061
- p. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents/guardians, students, school officials, and any other parties to whom the district discloses personally-identifiable information from educational records.

6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally-identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent/guardian, eligible student, school official, or his/her assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure, the record must include:

- a. The party or parties who have requested or received personally-identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally-identifiable information:

- a. The parent(s)/guardian(s) or eligible student;
- b. The school official or his/her assistants who are responsible for the custody of the records; or
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s)/guardian(s) believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student’s rights of privacy or other rights, he/she may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student’s education record shall become a permanent part of the student’s education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s)/guardian(s) shall be informed of the decision and of his/her right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents/Guardians or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s)/guardian(s), the eligible student or student's parent(s)/guardian(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading, or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent/guardian. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time, and location for the hearing, and give the student's parent/guardian or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or his/her designee;
- b. A member chosen by the eligible student or student's parent(s)/guardian(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent/guardian or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. The hearing shall be private. Persons other than the student, parent/guardian, witnesses, and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s)/guardian(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s)/guardian(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s)/guardian(s) of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement;

- a. Is maintained as part of the student's records as long as the record or contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion is disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s)/guardian(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency, or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request.

Readable copies of the student's permanent records shall be retained for one year. Such special education records as are necessary to document compliance with state and federal audits, shall be retained for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, such records shall be retained until the student reaches age 21 or 5 years after last seen, whichever is longer.

Education records shall not be withheld for student fees, fines, and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

11. Required Disclosure Statement related to Social Security Numbers

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

"Providing your social security number (SSN) is voluntary. If you provide it, the school district will use your SSN for record keeping, research, and reporting purposes only. The school district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described."

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes school districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps school districts and the state research, plan, and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The school district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training, and job market trends. The information is also used for planning, research, and program improvement.

State and private universities, colleges, community colleges, and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Medford School District 549C

Code: JO/IGBAB-AR
Adopted: 11/17/14
Revised/Readopted: 9/19/19; xx/xx/xx
Orig. Code: JO/IGBAB-AR

Education Records Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel, and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee, and that are not available for use for any other purpose. (Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section);
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are
 - (1) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained, or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district;
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student, which includes the following:

- a. Name and address of the educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date;

- d. Name of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school.

The district may request the social security number of the student. The request shall include notification to the eligible student or the student's parent(s) and/or guardians that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The district shall protect the confidentiality of personally-identifiable information at collection, storage, disclosure, and destruction stages.
- c. The district shall identify one official at each school to assume responsibility for ensuring the confidentiality of any personally-identifiable information.
- d. All persons collecting or using personally-identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents/Guardians and Eligible Students

The district shall annually notify parents/guardians and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents/guardians or eligible students of their rights. This notification shall state that the parent(s)/guardian(s) or eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally-identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents/guardians or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s)/guardian(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of the parents, transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

4. Parent/Guardian or Eligible Student Right to Inspect and Review

The district shall permit an eligible student or student's parent(s)/guardian(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s)/guardian(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case, the eligible student or student's parent(s)/guardian(s) may inspect, review, or be informed of only the specific information about the student.

The district shall comply with a request for access to records

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an IEP, or any due process hearing, or any resolution session related to a due process hearing¹; and
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s)/guardian(s) or eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s)/guardian(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s)/guardian(s) may, at his/her expense, have those records reviewed by a physician or other appropriate professional of his/her choice.

If an eligible student or student's parent(s)/guardian(s) so requests, the district shall give the eligible student or student's parent(s)/guardian(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent/guardian or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s)/guardian(s) with a copy of test protocols, test questions and answers, and other documents described in Oregon Revised Statutes (ORS) 192.501(4) unless authorized by federal law.

Raw data collection records such as test protocols, notes, drafts, and other information are destroyed once this information is summarized into progress reports, evaluation reports or other educational documents.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student's education records will be maintained at the school building at which the student is in attendance except for special education records, which may be located at another designated location within the district. The administrator/principal or his/her designee shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally-Identifiable Information

Personally-identifiable information (as defined by School Board Policy JOB) shall not be released without prior written consent of the eligible student or student's parent(s)/guardian(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor, or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment; Contractors, consultants, volunteers, or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs and institutional service or function for which the district would otherwise use employees, is under direct control of the district with respect to the use

and maintenance of education records, and is subject to district policies concerning the redisclosure of personally-identifiable information.

The district shall maintain for public inspection, a listing of the names and positions of individuals within the district who have access to personally-identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district.
- c. The disclosure is to authorize representatives of The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.
- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section, “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to
 - (1) Develop, validate, or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope, and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally-identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents/guardians or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that
 - (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally-identifiable information being disclosed;
 - (3) Specifies the personally-identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally-identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally-identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally-identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s)/guardian(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s)/guardian(s) or student;
- i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect of dependency matters;
- j. The disclosure is to the parent(s)/guardian(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally-identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to

- applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- l. The disclosure is information the district has designated as “directory information” (See Board policy JOA - Directory Information);
 - m. The disclosure is to the parent(s)/guardian(s) of a student who is not an eligible student or to an eligible student;
 - n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program, or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
 - o. The disclosure is to the Board during an executive session pursuant to ORS 332.061
 - p. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents/guardians, students, school officials, and any other parties to whom the district discloses personally-identifiable information from educational records.

6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally-identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent/guardian, eligible student, school official, or his/her assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure, the record must include:

- a. The party or parties who have requested or received personally-identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally-identifiable information:

- a. The parent(s)/guardian(s) or eligible student;
- b. The school official or his/her assistants who are responsible for the custody of the records; or
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s)/guardian(s) believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student’s rights of

privacy or other rights, he/she may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s)/guardian(s) shall be informed of the decision and of his/her right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents/Guardians or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s)/guardian(s), the eligible student or student's parent(s)/guardian(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading, or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent/guardian. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time, and location for the hearing, and give the student's parent/guardian or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or his/her designee;
- b. A member chosen by the eligible student or student's parent(s)/guardian(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent/guardian or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. The hearing shall be private. Persons other than the student, parent/guardian, witnesses, and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s)/guardian(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s)/guardian(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s)/guardian(s) of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement;

- a. Is maintained as part of the student's records as long as the record or contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion is disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s)/guardian(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency, or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request.

Readable copies of the student's permanent records shall be retained for one year. Such special education records as are necessary to document compliance with state and federal audits, shall be retained for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, such records shall be retained until the student reaches age 21 or 5 years after last seen, whichever is longer.

Education records shall not be withheld for student fees, fines, and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

11. Required Disclosure Statement related to Social Security Numbers

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the school district will use your SSN for record keeping, research, and reporting purposes only. The school district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes school districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps school districts and the state research, plan, and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The school district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training, and job market trends. The information is also used for planning, research, and program improvement.

State and private universities, colleges, community colleges, and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Medford School District 549C

Code: IGBHD
Adopted: 3/16/93
Revised/Readopted: 6/17/19; 4/20/23; xx/xx/xx
Orig. Code: IGBHD

Program Exemptions

The district may excuse students from a state-required program or learning activity for reasons of religion, disability¹, or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity, which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the principal.

The district will determine if credit will be granted for any alternative activity.

END OF POLICY

Legal Reference(s):

[ORS 336.035\(2\)](#)
[ORS 336.465](#)
[ORS 336.615](#)
[ORS 336.625](#)

[ORS 336.635](#)
[OAR 581-002-0035](#)
[OAR 581-021-0009](#)

[OAR 581-021-0071](#)
[OAR 581-022-2050](#)
[OAR 581-022-2110](#)
[OAR 581-022-2505](#)

Mahmoud v. Taylor, No. 24-297, U.S., (June 27, 2025).

¹ If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

Medford School District 549C

Code: IGBHD
Adopted: 3/16/93
Revised/Readopted: 6/17/19; 4/20/23; xx/xx/xx
Orig. Code: IGBHD

Program Exemptions

The district may excuse students from a state-required program or learning activity for reasons of religion, disability¹, or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity, which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the principal.

The district will determine if credit will be granted for any alternative activity.

END OF POLICY

Legal Reference(s):

[ORS 336.035\(2\)](#)
[ORS 336.465](#)
[ORS 336.615](#)
[ORS 336.625](#)

[ORS 336.635](#)
[OAR 581-002-0035](#)
[OAR 581-021-0009](#)

[OAR 581-021-0071](#)
[OAR 581-022-2050](#)
[OAR 581-022-2110](#)
[OAR 581-022-2505](#)

Mahmoud v. Taylor, No. 24-297, U.S., (June 27, 2025).

¹ If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

Medford School District 549C

Code: JFCEB
Adopted: 5/09/16
Revised/Readopted: 9/19/19; 1/23/25
Orig. Code: JFCEB

Student Use of Personal Electronic Devices and Social Media**

Student possession or use of personal electronic devices on district property in district facilities during the school day and while the student is in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the principal and approved by the superintendent.

A “personal electronic device” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data including pictures and videos.

Personal electronic devices shall be turned off and away during instructional or class time or at any other time where such use of the device would cause a disruption of school activities.¹

The district will not be liable for personal electronic devices brought to district property and district-sponsored activities.

The district will not be liable for information/comments posted by students on social media websites.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student’s individualized education program (IEP). Other exceptions may be requested by instructors for educational purposes and would be approved on a case-by-case basis by the school administrator.²

Students are subject to disciplinary action up to and including expulsion for using a personal electronic device in any manner that is academically dishonest, illegal or violates the student code of conduct or acceptable use policy. A referral to law enforcement officials may also be made. Personal electronic devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student’s parent/guardian as appropriate.

The superintendent shall ensure that the Board’s policy and any subsequent school rules developed by building administrators are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and school rules are communicated to staff, students and parents/guardians through building handbooks and other means.

END OF POLICY

¹ “Turned off and away” will be enacted beginning the 2025-26 school year.

² “Case-by-case basis” will be enacted beginning the 2025-26 school year.

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101-1332 (2012); 19 C.F.R. Part 133 (2017).

DELETED

Medford School District 549C

Code: JFCEB
Adopted: xx/xx/xx

Personal Electronic Devices */**

{This policy is required by ORS 336.840 and EO 25-09. EO-25-09 requires policy to be adopted and in place by October 31, 2025, with full implementation by January 1, 2026.}

Student ~~[possession or]~~ use of a personal electronic device is prohibited from the start of regular instructional hours until the end of regular instructional hours, except as provided below. Personal electronic devices can be used when students are not on school grounds and are not under the supervision of school personnel (other than a school bus driver)¹.

Except as otherwise provided in this policy, “personal electronic device” means any portable, electrically powered device that is capable of making and receiving calls and text messages and accessing the internet independently from the school’s network infrastructure. This includes headphones and earbuds attached to personal electronic devices. This does not include a laptop computer or other device required to support academic activities.

Personal electronic devices may be used when use complies with the terms of:

1. The student’s medical provider’s order for the care and treatment of a medical condition;²
2. The student’s individualized education program, as defined in ORS 343.035 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);³
3. A written exemption provided for the student based on a request received in JFCEB-AR. School administration will respond to such a request within ten school days.⁴

Personal electronic devices ~~[must be placed in district-provided pouches or storage]~~ may be kept by students in lockers, ~~or backpacks, but personal electronic devices are not to be stored on the student’s person or in the student’s clothing]~~~~[may be or stored on the student’s person, but may not be used]~~ during regular instructional hours.

Students in violation of this policy will be subject to disciplinary action. Discipline for mere possession or use of a personal electronic device may not include loss of instructional time for the student (including suspension or expulsion). ~~but could include [detention, Saturday school, a change to storage requirements,~~

¹ If students are under the supervision of school personnel other than a school bus driver, the use of personal electronic devices is prohibited during regular instructional hours.

² JFCEB-AR must be submitted to the building administrator, along with a copy of the order.

³ If use of the personal electronic device is included in the individualized education program or education plan, JFCEB-AR submission is not required.

⁴ JFCEB-AR must be submitted to the building administrator.

~~etc. ^{⁵}~~. However, if the actions taken by a student violate another conduct policy, the student may be subject to discipline up to and including expulsion.⁶ ~~[Steps may include:~~

- ~~1. First Instance of Noncompliance: staff will give the student a verbal reminder of the policy and expectations to reinforce appropriate use of personal electronic devices;~~
- ~~2. Second Instance of Noncompliance: the device will be temporarily confiscated and held in the front office until the end of the school day. Parents or guardians will be notified, and a meeting with school administration may be scheduled to discuss ways to support the student;~~
- ~~3. Third Instance of Noncompliance: the device will again be temporarily held, and parents or guardians will be informed. A meeting with school administration and family will be arranged to review the policy and plan for improved compliance;~~
- ~~4. Beyond Third Instance of Noncompliance: If non-compliance continues, schools will determine additional appropriate consequences, always prioritizing keeping students in class and engaged in learning. ^{⁷}~~

Necessary communications during the school day while on school grounds between students and parents or guardians can be made through the school office.

The superintendent or designee shall ensure this policy is posted on the district website and made available to district personnel, students, parents, guardians, partners who are in school buildings during the school day, and the Oregon Department of Education.

In accordance with ORS 336.840, students may be allowed to use personal electronic devices⁸ that support academic activities and independent communications⁹, except as prohibited by this policy. In academic activities in which a personal electronic device is required as part of the curriculum, students may be allowed, but not required to use their own personal electronic devices for that portion of the curriculum. Students using their own device must be granted access to any applications or electronic materials that are available to students who do not use their own personal electronic devices. These applications must be free of charge if students who do not use their own devices have access free of charge.

⁵ ~~{Correction may include requiring a student to store their device in a classroom storage space instead of in the backpack.}~~

⁶ For example: a student could be disciplined with lost instructional time for using a personal electronic device to bully another student or for accessing inappropriate content. Discipline will be in accordance with Board policies.

⁷ ~~{From guidance from the Oregon Department of Education. Consider whether these procedures apply at all grade levels and whether this much detail is desired in policy.}~~

⁸ The use of “personal electronic device” in this paragraph comes from ORS 336.840, which does not define the term. However, the definition in EO 25-09 wouldn’t necessarily apply. Consequently, items like laptop computers or other devices required to support academic activities would likely be considered personal electronic devices within this paragraph.

⁹ “Independent communication means communication that does not require assistance or interpretation by an individual who is not part of the conversation, but that may require the use or assistance of an electronic device. ORS 336.840(1).

Requests for exemptions to this policy can be processed in accordance with JFCEB-AR, Request for Personal Electronic Devices Exemption. Appeals can be filed with the superintendent or designee in accordance with KL – Public Complaint Procedure].

The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

~~[This policy takes effect on January 1, 2026.]~~

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.840](#)

Oregon Executive Order 25-09

Medford School District 549C

Code: JFCEB
Adopted: xx/xx/xx

Personal Electronic Devices */**

Student use of a personal electronic device is prohibited from the start of regular instructional hours until the end of regular instructional hours, except as provided below. Personal electronic devices can be used when students are not on school grounds and are not under the supervision of school personnel (other than a school bus driver)¹.

Except as otherwise provided in this policy, “personal electronic device” means any portable, electrically powered device that is capable of making and receiving calls and text messages and accessing the internet independently from the school’s network infrastructure. This includes headphones and earbuds attached to personal electronic devices. This does not include a laptop computer or other device required to support academic activities.

Personal electronic devices may be used when use complies with the terms of:

1. The student’s medical provider’s order for the care and treatment of a medical condition;²
2. The student’s individualized education program, as defined in ORS 343.035 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);³
3. A written exemption provided for the student based on a request received in JFCEB-AR. School administration will respond to such a request within ten school days.⁴

Personal electronic devices may be kept by students in lockers, backpacks, or stored on the student’s person, but may not be used during regular instructional hours.

Students in violation of this policy will be subject to disciplinary action. Discipline for mere possession or use of a personal electronic device may not include loss of instructional time for the student (including suspension or expulsion). However, if the actions taken by a student violate another conduct policy, the student may be subject to discipline up to and including expulsion.⁵

¹ If students are under the supervision of school personnel other than a school bus driver, the use of personal electronic devices is prohibited during regular instructional hours.

² JFCEB-AR must be submitted to the building administrator, along with a copy of the order.

³ If use of the personal electronic device is included in the individualized education program or education plan, JFCEB-AR submission is not required.

⁴ JFCEB-AR must be submitted to the building administrator.

⁵ For example: a student could be disciplined with lost instructional time for using a personal electronic device to bully another student or for accessing inappropriate content. Discipline will be in accordance with Board policies.

Necessary communications during the school day while on school grounds between students and parents or guardians can be made through the school office.

The superintendent or designee shall ensure this policy is posted on the district website and made available to district personnel, students, parents, guardians, partners who are in school buildings during the school day, and the Oregon Department of Education.

In accordance with ORS 336.840, students may be allowed to use personal electronic devices⁶ that support academic activities and independent communications⁷, except as prohibited by this policy. In academic activities in which a personal electronic device is required as part of the curriculum, students may be allowed, but not required to use their own personal electronic devices for that portion of the curriculum. Students using their own device must be granted access to any applications or electronic materials that are available to students who do not use their own personal electronic devices. These applications must be free of charge if students who do not use their own devices have access free of charge.

Requests for exemptions to this policy can be processed in accordance with JFCEB-AR, Request for Personal Electronic Devices Exemption. Appeals can be filed with the superintendent or designee in accordance with KL – Public Complaint Procedure].

The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.840](#)

Oregon Executive Order 25-09

⁶ The use of “personal electronic device” in this paragraph comes from ORS 336.840, which does not define the term. However, the definition in EO 25-09 wouldn’t necessarily apply. Consequently, items like laptop computers or other devices required to support academic activities would likely be considered personal electronic devices within this paragraph.

⁷ “Independent communication means communication that does not require assistance or interpretation by an individual who is not part of the conversation, but that may require the use or assistance of an electronic device. ORS 336.840(1).

Medford School District 549C

Code: JFCEB-AR
Revised/Reviewed: xx/xx/xx

Request for Personal Electronic Devices Exception

A parent or guardian may request an exception to the personal electronic device prohibition by submitting the following form to the principal:

Name of Student _____ Date _____

School _____

If the reason for the request is included in the student's individualized education program, as defined in ORS 343.025 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, this form is not required.

This request is:

- ☐ in compliance with the student's medical provider's order for the care and treatment of a medical condition (attach a copy of the order);
- ☐ to accommodate the individual circumstances of the student;
- ☐ to further specific educational outcomes for the student.

Exemption Requested (describe the requested possession and/or use of a personal electronic device to be allowed and reason for the requested exemption):

Signed _____ Date _____

Parent or Guardian Name _____

Parent or Guardian Phone _____ Email _____

FOR COMPLETION BY SCHOOL ADMINISTRATION

Request	<input type="checkbox"/>	Granted	Expiration of Exemption _____
	<input type="checkbox"/>	Denied	Reason for Denial _____
	<input type="checkbox"/>	More information needed. Please submit by _____ for reconsideration.	

Signed _____ Date _____

School administration decisions will be issued and communicated to the parent or guardian within ten school days of receipt and can be appealed with the superintendent. Denied requests may be resubmitted if circumstances change or after 12 months, whichever is earlier.

Guidelines for exemption consideration:

1. Exemptions should only be approved for clearly documented needs of students and their families, not mere convenience;
2. Exemptions should be consistently granted in a non-discriminatory manner;
3. Exemptions should be limited to address the specific need, with any limitations communicated to the student regarding other possession and use;
4. Exemptions should only be approved when other communication methods and device availability (school phones, laptops, computers, available internet, etc.) are not adequate for the specific need;
5. Exemptions should be communicated to necessary staff in a way that protects student privacy;
6. Exemptions should minimize disruption to other students, staff and the educational environment.

Medford School District 549C

Code: JFCEB-AR
Revised/Reviewed: xx/xx/xx

Request for Personal Electronic Devices Exception

A parent or guardian may request an exception to the personal electronic device prohibition by submitting the following form to the principal:

Name of Student _____ Date _____

School _____

If the reason for the request is included in the student's individualized education program, as defined in ORS 343.025 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, this form is not required.

This request is:

- ☐ in compliance with the student's medical provider's order for the care and treatment of a medical condition (attach a copy of the order);
- ☐ to accommodate the individual circumstances of the student;
- ☐ to further specific educational outcomes for the student.

Exemption Requested (describe the requested possession and/or use of a personal electronic device to be allowed and reason for the requested exemption):

Signed _____ Date _____

Parent or Guardian Name _____

Parent or Guardian Phone _____ Email _____

FOR COMPLETION BY SCHOOL ADMINISTRATION

Request ☐ Granted Expiration of Exemption _____
☐ Denied Reason for Denial _____
☐ More information needed. Please submit by _____ for reconsideration.

Signed _____ Date _____

School administration decisions will be issued and communicated to the parent or guardian within ten school days of receipt and can be appealed with the superintendent. Denied requests may be resubmitted if circumstances change or after 12 months, whichever is earlier.

Guidelines for exemption consideration:

1. Exemptions should only be approved for clearly documented needs of students and their families, not mere convenience;
2. Exemptions should be consistently granted in a non-discriminatory manner;
3. Exemptions should be limited to address the specific need, with any limitations communicated to the student regarding other possession and use;
4. Exemptions should only be approved when other communication methods and device availability (school phones, laptops, computers, available internet, etc.) are not adequate for the specific need;
5. Exemptions should be communicated to necessary staff in a way that protects student privacy;
6. Exemptions should minimize disruption to other students, staff and the educational environment.

Medford School District 549C

Code: JOA
Adopted: 10/22/18
Revised/Readopted: 9/19/19; xx/xx/xx
Orig. Code: JOA

Directory Information**

“Directory information” means those items of personally identifiable information (as defined in School Board Policy JOB) contained in a student education record which is not generally considered harmful or an invasion of privacy if released. ~~The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures and includes:~~

1. Student’s name;
- ~~2. Student’s address;~~
- ~~3. Student’s telephone listing;~~
- ~~4. Student’s electronic address;~~
2. Student’s photograph;
- ~~3. Date and place of birth;~~
3. Major field of study;
4. Participation in officially recognized ~~sports and~~ activities and sports;
5. Weight and height of ~~athletic team~~ members of athletic teams;
6. Dates of attendance; and
- ~~7. Grade level;~~
7. Degrees, ~~honors or~~ and awards received;
- ~~8. Most recent previous school or program attended.~~

Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district’s option to release such information and the requirement that the district must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parents, student 18 years of age, or emancipated student within 15 days of the annual public notice. A parent, student 18 years of age or older, or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name, identifier, institutional email address in a class in which the student is enrolled. Such a student must disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy, if required by the district.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released. Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 180.805](#)

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (~~2012-2024~~).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (~~2012-2024~~); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (~~2017 2025~~).
Every Student Succeeds Act, 20 U.S.C. § 7908 (~~2012-2024~~).

Medford School District 549C

Code: JOA
Adopted: 10/22/18
Revised/Readopted: 9/19/19; xx/xx/xx
Orig. Code: JOA

Directory Information**

“Directory information” means those items of personally identifiable information (as defined in School Board Policy JOB) contained in a student education record which is not generally considered harmful or an invasion of privacy if released. Directory information may be released through appropriate procedures and includes:

1. Student’s name;
2. Student’s photograph;
3. Major field of study;
4. Participation in officially recognized activities and sports;
5. Weight and height of members of athletic teams;
6. Dates of attendance; and
7. Degrees and awards received.

Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district’s option to release such information and the requirement that the district must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parents, student 18 years of age, or emancipated student within 15 days of the annual public notice. A parent, student 18 years of age or older, or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name, identifier, institutional email address in a class in which the student is enrolled. Such a student must disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy, if required by the district.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released. Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 180.805](#)

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2024).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2024); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2025).

Every Student Succeeds Act, 20 U.S.C. § 7908 (2024).

Medford School District 549C

Code: LBEA
Adopted: 2/18/21
Revised/Readopted: 10/19/23; xx/xx/xx

~~Resident Student~~ Denial for Virtual Public Charter School ~~Attendance Student~~ Enrollment**

The district is not required to approve a transfer of a resident student, when more than three percent of the students residing in the district are attending a virtual public charter school not sponsored by the district. The district will semiannually, by ~~October~~ November 1 and April 1, calculate the percentage of students residing in the district, who are attending a virtual public charter school not sponsored by the district. When the ~~established~~ ~~calculated~~ percentage is more than three percent, the district ~~will~~ ~~may~~ not approve additional students enrollment to a virtual public charter school.

A parent¹ must give notice to the district ~~in which the parent resides~~ of their intent to enroll their student in a virtual public charter school ~~not sponsored by the district, before enrolling their student in such a school and notice of actual enrollment.~~ If the calculated percentage is three percent or less, or the district sponsors the desired virtual public charter school, the district will issue a notice of approval or choose not to respond.

~~If the district is not approving the enrollment, the district must respond with a decision to not give approval within 10 calendar days of receipt of the notice of intent from the parent. Such decision~~ If the calculated percentage is more than three percent and the desired virtual public charter school is not sponsored by the district, the district will issue a denial notice² within 10 calendar days of receiving notice from a parent and must include:

- ~~1. The notice the student is denied for enrollment to the virtual public charter school;~~
2. The percentage of students in the district that attend virtual public charter schools that are not sponsored by the district, based on ~~the most~~ recent calculations ~~at the time the intent to enroll was received by the district;~~
- ~~3. The right to appeal the decision to the State Board of Education;~~
3. A list of two or more other online options available to the student; and
4. A copy of OAR 581-026-0305 and OAR 581-026-0310.

~~When calculating the percentage~~ ~~the~~ the district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

¹ “Parent” means parent, legal guardian or person in parental relationship as defined in ORS 339.133.

² If a parent does not receive a notice of approval or disapproval from the district within 10 days of sending the notice of intent to enroll to the district, the student shall be deemed approved for enrollment by the district. (OAR 581-026-0305 (4))

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in **virtual and non-virtual** public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools **not sponsored by the district**;
4. The number of home-schooled students ~~who reside~~ **residing** in the district and who have registered with ~~the an~~ educational service district; and
5. The number of students ~~who reside~~ **residing** in the district enrolled in private schools located within the school district.

A parent may appeal ~~a decision of a the district's to not approve a denial for~~ student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this district, approval is not required.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 338.125](#)

[OAR 581-026-0305](#)

[OAR 581-026-0310](#)

~~[House Bill 3024 \(2023\)](#)~~.

Medford School District 549C

Code: LBEA
Adopted: 2/18/21
Revised/Readopted: 10/19/23; xx/xx/xx

Denial for Virtual Public Charter School Student Enrollment**

The district is not required to approve a transfer of a resident student, when more than three percent of the students residing in the district are attending a virtual public charter school not sponsored by the district. The district will semiannually, by November 1 and April 1, calculate the percentage of students residing in the district, who are attending a virtual public charter school not sponsored by the district. When the calculated percentage is more than three percent, the district may not approve additional students enrollment to a virtual public charter school.

A parent¹ must give notice to the district in which the parent resides of their intent to enroll their student in a virtual public charter school. If the calculated percentage is three percent or less, or the district sponsors the desired virtual public charter school, the district will issue a notice of approval or choose not to respond.

If the calculated percentage is more than three percent and the desired virtual public charter school is not sponsored by the district, the district will issue a denial notice² within 10 calendar days of receiving notice from a parent and must include:

1. The notice the student is denied for enrollment to the virtual public charter school;
2. The percentage of students in the district that attend virtual public charter schools that are not sponsored by the district, based on the most recent calculations at the time the intent to enroll was received by the district;
3. A list of two or more other online options available to the student; and
4. A copy of OAR 581-026-0305 and OAR 581-026-0310.

When calculating the percentage the district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in virtual and non-virtual public charter schools located in the district;

¹ "Parent" means parent, legal guardian or person in parental relationship as defined in ORS 339.133.

² If a parent does not receive a notice of approval or disapproval from the district within 10 days of sending the notice of intent to enroll to the district, the student shall be deemed approved for enrollment by the district. (OAR 581-026-0305 (4))

3. The number of students residing in the district enrolled in virtual public charter schools not sponsored by the district;
4. The number of home-schooled students residing in the district and who have registered with an educational service district; and
5. The number of students residing in the district enrolled in private schools located within the school district.

A parent may appeal the district's denial for student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this district, approval is not required.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 338.125](#)

[OAR 581-026-0305](#)
[OAR 581-026-0310](#)