

Records of Students with Disabilities

In addition to the protection and procedures afforded elsewhere in policy, students with disabilities and their parents have additional rights under federal and state law with regard to student education records.

The district will provide for parent inspection (or inspection by the parent's designee) of a student's education records. If inspection of the records at the place where they are kept, or at any other location in the district, will cause an unreasonable burden on the parents, the district will provide the parents copies of the student education records. The district will respond to reasonable requests for explanations and interpretations of the records.

Each school district shall keep confidential any record maintained on a child with a disability. In order to guard against unauthorized access to the records of students with disabilities, the district will maintain a record of each request for access to and each disclosure of personally identifiable information from education records collected, maintained or used under Part B of the Individuals with Disabilities Education Act (IDEA-B), including the name of the party, the date access was given, the purpose for which the party was authorized to use the records and the legitimate interests the parties had in requesting or obtaining the information. This will not apply to access by the parent or eligible student, a school official, a party with written consent from the parent or eligible student or a party seeking directory information. The district will maintain the access record with the student's education records as long as the records are maintained.

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.

Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ORS 339.260 and 339.270.

The district cooperates in federal efforts under the Elementary and Secondary Education Act to ensure linkage of records pertaining to migratory children with disabilities.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 336.187](#)

[ORS 339.155](#)

[ORS 339.260](#)

[ORS 339.270](#)

[OAR 581-015-0055](#)

[OAR 581-015-0606](#)

[OAR 581-021-0210 to -0440](#)

[OAR 581-022-1660](#)

Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997), **as amended 108-446 (2004)**. [P.L. 94-142 is a well-known “short” reference to this federal legislation.]
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).
Assistance to States for the Education of Children with Disabilities, 34 CFR Sections 300.560 - 300.577 (2000).