

# Portland Public School District 1<sup>st</sup> Reading

**DATE OF FIRST READING: August 28, 2023**

## **PUBLIC COMMENT FOR Policy 2.50.020-P: Student Education Records**

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

**Open for Comment until at least:  
September 18, 2023**

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**Summary:** Student Education Records 2.50.020-P

**1<sup>st</sup> Reading by:** Director Julia Brim-Edwards  
Portland Public School Board, Policy Committee Chair

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <http://www.pps.net/draftpolicies>

**Contact:** Rosanne Powell, Senior Board Manager  
**Address:** P.O. Box 3107, Portland, OR 97208-3107  
**Telephone:** 503-916-3741  
**E-mail:** [schoolboard@pps.net](mailto:schoolboard@pps.net)

**Draft Policy Comment Form:** <https://forms.gle/VqYbmVA36qqADj6n6>

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## STAFF REPORT

**Date:** August 16, 2023

**To:** School Board

**From:** Ramzi Adas, Director, Records Management – Publication Services  
Amanda Jones, Manager-Archivist, Records Management  
Mary Kane, Senior Legal Counsel, General Counsel

**Subject:** Updated Student Education Records Board Policy 2.50.020-P

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### **BACKGROUND**

Portland Public Schools adheres to state and federal rules and policies regarding retention and archival of student education records. The Board has a policy that was adopted 6/1971 with a final amendment done 9/2002. In a twenty-year span of time, records types and retention schedules have changed and this updated policy reflects those changes. It is the district's responsibility to remain in compliance with these rules and laws.

### **RELATED POLICIES**

2.50.021-AD Education Records Management  
2.50.022-AD School Records Retention

### **ANALYSIS OF SITUATION**

Student education records types have changed in the past twenty years as well as state and federal rules regarding the retention and archival requirements. Some records series have been eliminated and new ones added, automation has developed, and state and federal rules have been redefined to reflect updated student records types. The last policy update is over twenty years old.

### **TIMELINE FOR IMPLEMENTATION / EVALUATION**

Starting school year 2023/2024

### **CONNECTION TO BOARD GOALS**

The proposed changes align with the Board's goal of following state and federal law.

## **STAFF RECOMMENDATION**

Approval of updated policy.

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## **ATTACHMENTS**

- A. Redline copy 2.50.020-P
- B. Clean copy 2.50.020-P

## 2.50.020-P Student Education Records

- (1) Education records are those records maintained by the District that are directly related to a student.
- (2) In addition to the protection and procedures included in this policy and accompanying administrative directive, students with disabilities and their parents have additional rights under federal and state law with regard to student education records. Those rights and procedures have been included in the Special Education Manual located on the District website [insert link].
- (3) The primary reason for the keeping and maintaining of education records for students is to help the individual student in their educational development by providing pertinent information for the student, their teachers and their parents/guardians. The District shall keep education records for students as required by state and federal laws and regulations.
- (4) Information recorded on official education records should be carefully selected, accurate and verifiable, and should have a direct and significant bearing upon the student's educational development.
- (5) The District has an affirmative duty to provide records requested by another school district to determine a student's appropriate placement.
- (6) The District shall give full rights to education records to either parent, or legal guardian, unless the District has been provided legal evidence that specifically revokes or modifies these rights. However, once the student reaches age 18, those rights transfer to the student.
- (7) A copy of this policy and administrative regulation shall be made available upon request by parents/guardians and students 18 years or older or emancipated.

Legal References: ORS 30.864; ORS 107.154; ORS 326.565; ORS 326.575; ORS 343.177 (3); OAR 166-405-0010 to 166-415-0010; OAR 581-021-0210 to 0440; OAR 581-022-1660; OAR 581-022-1670; 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). 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 Section 300.501 (2000).

History: Adpt. 6/71; Amd. 8/11/75; Amd. 10/1/81; Amd. 5/84 ed.; Amd. 5/8/86; Amd 7/10/86; Amd. 5/14/87; Amd. 12/14/89; Amd. 1/24/91; Amd. 10/22/92; Amd. 9/02, BA 2424; Amd \_\_\_/23.

## 2.50.020-P Student Education Records

7/26/2023 DRAFT

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- ~~(4) It is the policy of t~~The ~~D~~istrict ~~to~~ shall keep education records for students ~~to conform as required by~~ with state and federal laws and regulations.
- (5) Information recorded on official education records should be carefully selected, accurate and verifiable, and should have a direct and significant bearing upon the ~~student's~~students' educational development.
- ~~(6) The district will develop administrative directives for the maintenance, access and release of education records as well as for preserving confidentiality and for challenging the content of those records.~~
- ~~(7) The district may withhold the grade reports, diploma or other records of students who owe fees, fines or damages until those fees, fines or damages are paid. Students or parents will receive written notice stating the district's intent to withhold records. The notice will include an itemization of the fees, fines or damages owed and will notify parents of their right to request a hearing. The district may waive fees, fines and charges if the student or parents cannot pay.~~
- (8) ~~The District has an affirmative duty to provide r~~Records requested by another school district to determine a ~~student's~~students' appropriate placement ~~may not be withheld.~~
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