

Muddy Creek Charter School

Code: IGBAB/JO
Adopted: 12/12/24

Education Records/Records of Students with Disabilities**

Education records are those records maintained by the public charter school that are directly related to a student.

The public charter school shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

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

Records requested by another district or public charter school to determine a student's appropriate placement may not be withheld.

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

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

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

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

The public charter school's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials within the agency have legitimate educational interests. School officials may also include a volunteer or contractor who performs an institutional service on behalf of the school.

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 338.115\(a\)](#)
[ORS 339.270](#)
[ORS 343.177\(3\)](#)

[OAR 166-400-0010 to 166-400-0065](#)
[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2017).

Cross Reference(s):

JN - Student Fees, Fines and Charges

JO/IGBAB - Education Records/Records of Students with Disabilities

JOA - Directory Information

JOB - Personally Identifiable Information