

## Frequently Asked Questions about Student Records

### **Q: What information must be included in a student's Permanent Record?**

**A:** Oregon Administrative Rule 581-021-0220 lists the following information that must be included in the student's Permanent Record:

1. Name and address of the educational agency or institution;
2. Full legal name of the student;
3. Student's birth date and place of birth;
4. Name of parents/guardians;
5. Date of entry into the school;
6. Name of school previously attended;
7. Courses of study and marks received;
8. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
9. Credits earned;
10. Attendance;
11. Date of withdrawal from school;
12. Social security number, subject to subsection (1)(j) of this rule; and
13. Such additional information as the educational agency or institution may prescribe.

### **Q: How long must a district keep a student's records on file?**

**A:** Oregon State Archives Administrative Rule 166-400-0060 sets the length of time a district must keep student records.

- **Student Information and Demographic Records** document the composition of the student population in a variety of sequences, groupings, and lists. Records include demographic profiles of students; student record cards; and other manual or computer produced lists organized by school, class, special program, or other grouping. Records may include but are not limited to student identification information including name, address, birth date, birthplace, parents, and guardians; student demographics including gender, ethnicity, and age; attendance; enrollment dates; previous school attended; student grades and transcript data; health and immunization information; handicapped status; and related documentation. Minimum retention: (a) Retain years ending in 0 and 5 Permanent (b) Retain all others 5 years
- **Oregon Student Records** document a core set of information about an individual student (including a home-schooled student) and his/her educational career, birth through age 21. Records include name and address of the educational agency or institution; full legal name of the student; student's birth date and place of birth; name of parents/guardians; date of entry into the school; name of school previously attended; subjects taken; marks received; credits earned; attendance; date of withdrawal from school; social security number (as provided on a voluntary basis by parent or eligible student); and such additional information as the educational agency or institution may prescribe. Minimum retention: (a) Retain original: 75 years (b) Retain readable photocopy retained by the former educational agency or institution when a student transfers out of district: 1 year.

**Q: How must a district store student records?**

**A:** OAR 581-021-250 (k) states that the records must be stored in a “minimum one-hour fire-safe place in the educational agency or institution, or for keeping duplicate permanent records in a safe depository outside the building.”

**Q: What are the rights of parents and students with regards to student records?**

**A:** Federal and state laws grant parents and students rights to review and possibly edit records. All Oregon school districts must make parents and students aware of these rights.

**Q: Can a school withhold records of a student who is transferring to another district, if the student owes fines or fees to the original school?**

**A:** Schools must honor requests for records from other schools and institutions, but may withhold records from parents or the student when money is owed. This applies even though the new school is in another state. “Inter-state courtesy” is the basis for reciprocity among states with regard to student records needed by a new school to properly place the student in the appropriate grade level and class.

The applicable statute is ORS 339.260 – Withholding records until debt paid; liability of parent; waiver; notice; inspection. Part 5 of this Oregon law, states the following: “Notwithstanding subsection 1, a school district shall not withhold the education records of a student...when such records are requested for use in the appropriate placement of the student.” The original school may ask the new school to keep the records from the student and family until the debt is paid, but it cannot withhold the records from the other school because the student or family still owes money to the original school. Districts seeking payment of fines and fees from parents might pursue other means, such as debt collection services, for this purpose.

**Q: Are private schools required to follow student record laws and rules?**

**A:** Yes, all of the rules regarding student records apply equally to private schools.

**Q: What federal regulation is there of student records?**

**A:** The Family Educational Rights Privacy Act (FERPA) (20 U.S.C. 1232g; 34 CF99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA regulation is reflected in Oregon statutes and administrative rules.