

1 SENATE BILL NO. 15

2 INTRODUCED BY HALLIGAN

3 BY REQUEST OF THE JUVENILE JUSTICE AND JUVENILE MENTAL HEALTH STUDY COMMISSION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LOCAL EDUCATIONAL AGENCIES TO ADOPT A
6 POLICY FOR THE TRANSFERRING OF PERMANENT AND SPECIAL EDUCATIONAL RECORDS; AND
7 PROVIDING AN EFFECTIVE DATE."8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10
11 **NEW SECTION. Section 1. Transfer of school records.** (1) Subject to the provisions of the Family
12 Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g(b)(1)(E) and its implementing regulations at
13 34 CFR, part 99, and to the provisions of the Individuals With Disabilities Education Act, 20 U.S.C. 1411
14 through 1420, and its implementing regulations at 34 CFR, part 300, local educational agencies shall adopt
15 a policy that the permanent file and the file containing special education records of a student will be
16 forwarded to a local educational agency in which the student seeks or intends to enroll or a licensed
17 regional detention facility, as defined in 41-5-103, within 5 working days after a receipt of a written
18 request.19 (2) The files must include regular education records, special education records, and any of the
20 following information that is in the student's records:

- 21 (a) special education tests;
-
- 22 (b) original immunization records;
-
- 23 (c) disciplinary information; and
-
- 24 (d) any relevant information on the student, including but not limited to information on
-
- 25 psychological tests or medical information.
-
- 26

27 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
28 integral part of Title 20, chapter 1, part 2, and the provisions of Title 20, chapter 1, part 2, apply to
29 [section 1].
30

APPROVED BY COM ON EDUCATION
AND CULTURAL RESOURCES

SENATE BILL NO. 15

INTRODUCED BY HALLIGAN

BY REQUEST OF THE JUVENILE JUSTICE AND JUVENILE MENTAL HEALTH STUDY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LOCAL EDUCATIONAL AGENCIES AND ACCREDITED SCHOOLS TO ADOPT A POLICY FOR THE TRANSFERRING OF PERMANENT AND SPECIAL EDUCATIONAL RECORDS; AUTHORIZING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO ENTER INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Transfer of school records. (1) Subject to the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g~~(b)(1)(E)~~, AS AMENDED, and its implementing regulations at 34 CFR, part 99, and to the provisions of the Individuals With Disabilities Education Act, 20 U.S.C. 1411 through 1420, and its implementing regulations at 34 CFR, part 300, local educational agencies AND ACCREDITED SCHOOLS shall adopt a policy that A CERTIFIED COPY OF the permanent file, AS DEFINED BY THE BOARD OF PUBLIC EDUCATION, and the file containing special education records of a student will be forwarded BY MAIL OR ELECTRONICALLY to a local educational agency OR ACCREDITED SCHOOL in which the student seeks or intends to enroll ~~or a licensed regional detention facility, as defined in 41-5-103,~~ within 5 working days after a receipt of a written OR ELECTRONIC request.

(2) IF RECORDS CANNOT BE FORWARDED WITHIN 5 DAYS, THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL SHALL NOTIFY THE REQUESTOR IN WRITING OR ELECTRONICALLY PROVIDING THE REASONS WHY THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL IS UNABLE TO COMPLY WITHIN THE 5-DAY TIMEFRAME AND THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL SHALL PROVIDE THE DATE BY WHICH THE REQUESTED RECORDS WILL BE TRANSFERRED.

(3) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY NOT REFUSE TO TRANSFER FILES BECAUSE A STUDENT OWES FINES OR FEES.

~~(2)(4)~~ (4) The files THAT ARE FORWARDED must include ~~regular~~ education records IN THE PERMANENT FILE, special education records, and ~~any of the following information that is in the student's~~

1 ~~records:~~

2 ~~(a) special education tests;~~

3 ~~(b) original immunization records;~~

4 ~~(c) disciplinary information; and~~

5 ~~(d) any relevant information on the student, including but not limited to information on~~

6 ~~psychological tests or medical information. ANY DISCIPLINARY ACTIONS TAKEN AGAINST THE STUDENT~~

7 THAT ARE EDUCATIONALLY RELATED.

8 (5) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY RELEASE STUDENT

9 INFORMATION TO THE JUVENILE JUSTICE SYSTEM TO ASSIST THE SYSTEM'S ABILITY TO

10 EFFECTIVELY SERVE, PRIOR TO ADJUDICATION, THE STUDENT WHOSE RECORDS ARE RELEASED

11 UNDER PROVISIONS OF 20 U.S.C. 1232G(B)(1)(E) OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY

12 ACT OF 1974, AS AMENDED. THE OFFICIAL TO WHOM THE RECORDS ARE DISCLOSED SHALL CERTIFY

13 IN WRITING TO THE SENDING OFFICIAL THAT THE INFORMATION WILL NOT, EXCEPT AS PROVIDED BY

14 LAW, BE DISCLOSED TO ANY OTHER PARTY WITHOUT PRIOR WRITTEN CONSENT OF THE PARENT OF

15 THE STUDENT.

16 (6) THE SUPERINTENDENT OF PUBLIC INSTRUCTION IS ENCOURAGED TO CONTACT OTHER

17 STATES OR PROVINCES AND MAY ENTER INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS WITH

18 THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR A DEPARTMENT OF EDUCATION OF ANY STATE

19 OR PROVINCE. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUPPLY A COPY OF ANY

20 RECIPROCAL RECORDS TRANSFER AGREEMENT THAT IS EXECUTED TO THE COUNTY SUPERINTENDENT

21 OF EACH COUNTY THAT MAY BE AFFECTED BY THE AGREEMENT.

22 (7) UPON REQUEST, THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL SHALL

23 TRANSFER BY MAIL OR ELECTRONICALLY A COPY OF THE PERMANENT FILE TO A NONPUBLIC SCHOOL

24 OR FACILITY.

25 (8) AS USED IN THIS SECTION, "LOCAL EDUCATIONAL AGENCY" MEANS A PUBLIC SCHOOL

26 DISTRICT OR A STATE-FUNDED SCHOOL.

27

28 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

29 integral part of Title 20, chapter 1, part 2, and the provisions of Title 20, chapter 1, part 2, apply to

30 [section 1].

1 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 1997.

2 -END-

1 SENATE BILL NO. 15

2 INTRODUCED BY HALLIGAN

3 BY REQUEST OF THE JUVENILE JUSTICE AND JUVENILE MENTAL HEALTH STUDY COMMISSION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LOCAL EDUCATIONAL AGENCIES AND
6 ACCREDITED SCHOOLS TO ADOPT A POLICY FOR THE TRANSFERRING OF PERMANENT AND SPECIAL
7 EDUCATIONAL RECORDS; AUTHORIZING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO ENTER
8 INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 NEW SECTION. Section 1. Transfer of school records. (1) Subject to the provisions of the Family
13 Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g(b)(1)(E), AS AMENDED, and its implementing
14 regulations at 34 CFR, part 99, and to the provisions of the Individuals With Disabilities Education Act, 20
15 U.S.C. 1411 through 1420, and its implementing regulations at 34 CFR, part 300, local educational
16 agencies AND ACCREDITED SCHOOLS shall adopt a policy that A CERTIFIED COPY OF the permanent file,
17 AS DEFINED BY THE BOARD OF PUBLIC EDUCATION, and the file containing special education records of
18 a student will be forwarded BY MAIL OR ELECTRONICALLY to a local educational agency OR ACCREDITED
19 SCHOOL in which the student seeks or intends to enroll ~~or a licensed regional detention facility, as defined~~
20 ~~in 41-5-103~~, within 5 working days after a receipt of a written OR ELECTRONIC request.

21 (2) IF RECORDS CANNOT BE FORWARDED WITHIN 5 DAYS, THE LOCAL EDUCATIONAL AGENCY
22 OR ACCREDITED SCHOOL SHALL NOTIFY THE REQUESTOR IN WRITING OR ELECTRONICALLY
23 PROVIDING THE REASONS WHY THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL IS
24 UNABLE TO COMPLY WITHIN THE 5-DAY TIMEFRAME AND THE LOCAL EDUCATIONAL AGENCY OR
25 ACCREDITED SCHOOL SHALL PROVIDE THE DATE BY WHICH THE REQUESTED RECORDS WILL BE
26 TRANSFERRED.

27 (3) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY NOT REFUSE TO
28 TRANSFER FILES BECAUSE A STUDENT OWES FINES OR FEES.

29 ~~(2)(4)~~ The files THAT ARE FORWARDED must include ~~regular~~ education records IN THE
30 PERMANENT FILE, special education records, and ~~any of the following information that is in the student's~~

1 ~~records:~~

2 ~~(a) special education tests;~~

3 ~~(b) original immunization records;~~

4 ~~(c) disciplinary information; and~~

5 ~~(d) any relevant information on the student, including but not limited to information on~~

6 ~~psychological tests or medical information. ANY DISCIPLINARY ACTIONS TAKEN AGAINST THE STUDENT~~

7 THAT ARE EDUCATIONALLY RELATED.

8 (5) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY RELEASE STUDENT

9 INFORMATION TO THE JUVENILE JUSTICE SYSTEM TO ASSIST THE SYSTEM'S ABILITY TO

10 EFFECTIVELY SERVE, PRIOR TO ADJUDICATION, THE STUDENT WHOSE RECORDS ARE RELEASED

11 UNDER PROVISIONS OF 20 U.S.C. 1232G(B)(1)(E) OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY

12 ACT OF 1974, AS AMENDED. THE OFFICIAL TO WHOM THE RECORDS ARE DISCLOSED SHALL CERTIFY

13 IN WRITING TO THE SENDING OFFICIAL THAT THE INFORMATION WILL NOT, EXCEPT AS PROVIDED BY

14 LAW, BE DISCLOSED TO ANY OTHER PARTY WITHOUT PRIOR WRITTEN CONSENT OF THE PARENT OF

15 THE STUDENT.

16 (6) THE SUPERINTENDENT OF PUBLIC INSTRUCTION IS ENCOURAGED TO CONTACT OTHER

17 STATES OR PROVINCES AND MAY ENTER INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS WITH

18 THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR A DEPARTMENT OF EDUCATION OF ANY STATE

19 OR PROVINCE. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUPPLY A COPY OF ANY

20 RECIPROCAL RECORDS TRANSFER AGREEMENT THAT IS EXECUTED TO THE COUNTY SUPERINTENDENT

21 OF EACH COUNTY THAT MAY BE AFFECTED BY THE AGREEMENT.

22 (7) UPON REQUEST, THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL SHALL

23 TRANSFER BY MAIL OR ELECTRONICALLY A COPY OF THE PERMANENT FILE TO A NONPUBLIC SCHOOL

24 OR FACILITY.

25 (8) AS USED IN THIS SECTION, "LOCAL EDUCATIONAL AGENCY" MEANS A PUBLIC SCHOOL

26 DISTRICT OR A STATE-FUNDED SCHOOL.

27

28 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

29 integral part of Title 20, chapter 1, part 2, and the provisions of Title 20, chapter 1, part 2, apply to

30 [section 1].

1 SENATE BILL NO. 15

2 INTRODUCED BY HALLIGAN

3 BY REQUEST OF THE JUVENILE JUSTICE AND JUVENILE MENTAL HEALTH STUDY COMMISSION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LOCAL EDUCATIONAL AGENCIES AND
6 ACCREDITED SCHOOLS TO ADOPT A POLICY FOR THE TRANSFERRING OF PERMANENT AND SPECIAL
7 EDUCATIONAL RECORDS; AUTHORIZING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO ENTER
8 INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 NEW SECTION. Section 1. Transfer of school records. (1) Subject to the provisions of the Family
13 Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g~~(b)(1)(E)~~, AS AMENDED, and its implementing
14 regulations at 34 CFR, part 99, and to the provisions of the Individuals With Disabilities Education Act, 20
15 U.S.C. 1411 through 1420, and its implementing regulations at 34 CFR, part 300, local educational
16 agencies AND ACCREDITED SCHOOLS shall adopt a policy that A CERTIFIED COPY OF the permanent file,
17 AS DEFINED BY THE BOARD OF PUBLIC EDUCATION, and the file containing special education records of
18 a student will be forwarded BY MAIL OR ELECTRONICALLY to a local educational agency OR ACCREDITED
19 SCHOOL in which the student seeks or intends to enroll ~~or a licensed regional detention facility, as defined~~
20 ~~in 41-5-103~~, within 5 working days after a receipt of a written OR ELECTRONIC request.

21 (2) IF RECORDS CANNOT BE FORWARDED WITHIN 5 DAYS, THE LOCAL EDUCATIONAL AGENCY
22 OR ACCREDITED SCHOOL SHALL NOTIFY THE REQUESTOR IN WRITING OR ELECTRONICALLY
23 PROVIDING THE REASONS WHY THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL IS
24 UNABLE TO COMPLY WITHIN THE 5-DAY TIMEFRAME AND THE LOCAL EDUCATIONAL AGENCY OR
25 ACCREDITED SCHOOL SHALL PROVIDE THE DATE BY WHICH THE REQUESTED RECORDS WILL BE
26 TRANSFERRED.

27 (3) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY NOT REFUSE TO
28 TRANSFER FILES BECAUSE A STUDENT OWES FINES OR FEES.

29 ~~(2)(4)~~ (4) The files THAT ARE FORWARDED must include ~~regular~~ education records IN THE
30 PERMANENT FILE, special education records, and ~~any of the following information that is in the student's~~

1 ~~records:~~

2 ~~(a) special education tests;~~

3 ~~(b) original immunization records;~~

4 ~~(c) disciplinary information; and~~

5 ~~(d) any relevant information on the student, including but not limited to information on~~

6 ~~psychological tests or medical information. ANY DISCIPLINARY ACTIONS TAKEN AGAINST THE STUDENT~~

7 THAT ARE EDUCATIONALLY RELATED.

8 (5) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY RELEASE STUDENT

9 INFORMATION TO THE JUVENILE JUSTICE SYSTEM TO ASSIST THE SYSTEM'S ABILITY TO

10 EFFECTIVELY SERVE, PRIOR TO ADJUDICATION, THE STUDENT WHOSE RECORDS ARE RELEASED

11 UNDER PROVISIONS OF 20 U.S.C. 1232G(B)(1)(E) OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY

12 ACT OF 1974, AS AMENDED. THE OFFICIAL TO WHOM THE RECORDS ARE DISCLOSED SHALL CERTIFY

13 IN WRITING TO THE SENDING OFFICIAL THAT THE INFORMATION WILL NOT, EXCEPT AS PROVIDED BY

14 LAW, BE DISCLOSED TO ANY OTHER PARTY WITHOUT PRIOR WRITTEN CONSENT OF THE PARENT OF

15 THE STUDENT.

16 (6) THE SUPERINTENDENT OF PUBLIC INSTRUCTION IS ENCOURAGED TO CONTACT OTHER

17 STATES OR PROVINCES AND MAY ENTER INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS WITH

18 THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR A DEPARTMENT OF EDUCATION OF ANY STATE

19 OR PROVINCE. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUPPLY A COPY OF ANY

20 RECIPROCAL RECORDS TRANSFER AGREEMENT THAT IS EXECUTED TO THE COUNTY SUPERINTENDENT

21 OF EACH COUNTY THAT MAY BE AFFECTED BY THE AGREEMENT.

22 (7) UPON REQUEST, THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL SHALL

23 TRANSFER BY MAIL OR ELECTRONICALLY A COPY OF THE PERMANENT FILE TO A NONPUBLIC SCHOOL

24 OR FACILITY.

25 (8) AS USED IN THIS SECTION, "LOCAL EDUCATIONAL AGENCY" MEANS A PUBLIC SCHOOL

26 DISTRICT OR A STATE-FUNDED SCHOOL.

27

28 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

29 integral part of Title 20, chapter 1, part 2, and the provisions of Title 20, chapter 1, part 2, apply to

30 [section 1].

1 SENATE BILL NO. 15

2 INTRODUCED BY HALLIGAN

3 BY REQUEST OF THE JUVENILE JUSTICE AND JUVENILE MENTAL HEALTH STUDY COMMISSION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LOCAL EDUCATIONAL AGENCIES AND
6 ACCREDITED SCHOOLS TO ADOPT A POLICY FOR THE TRANSFERRING OF PERMANENT AND SPECIAL
7 EDUCATIONAL RECORDS; AUTHORIZING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO ENTER
8 INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 NEW SECTION. Section 1. Transfer of school records. (1) Subject to the provisions of the Family
13 Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g~~(b)(1)(E)~~, AS AMENDED, and its implementing
14 regulations at 34 CFR, part 99, and to the provisions of the Individuals With Disabilities Education Act, 20
15 U.S.C. 1411 through 1420, and its implementing regulations at 34 CFR, part 300, local educational
16 agencies AND ACCREDITED SCHOOLS shall adopt a policy that A CERTIFIED COPY OF the permanent file,
17 AS DEFINED BY THE BOARD OF PUBLIC EDUCATION, and the file containing special education records of
18 a student will be forwarded BY MAIL OR ELECTRONICALLY to a local educational agency OR ACCREDITED
19 SCHOOL in which the student seeks or intends to enroll ~~or a licensed regional detention facility, as defined~~
20 ~~in 41-5-103~~, within 5 working days after a receipt of a written OR ELECTRONIC request.

21 (2) IF RECORDS CANNOT BE FORWARDED WITHIN 5 DAYS, THE LOCAL EDUCATIONAL AGENCY
22 OR ACCREDITED SCHOOL SHALL NOTIFY THE REQUESTOR IN WRITING OR ELECTRONICALLY
23 PROVIDING THE REASONS WHY THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL IS
24 UNABLE TO COMPLY WITHIN THE 5-DAY TIMEFRAME AND THE LOCAL EDUCATIONAL AGENCY OR
25 ACCREDITED SCHOOL SHALL PROVIDE THE DATE BY WHICH THE REQUESTED RECORDS WILL BE
26 TRANSFERRED.

27 (3) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY NOT REFUSE TO
28 TRANSFER FILES BECAUSE A STUDENT OWES FINES OR FEES.

29 ~~(2)(4)~~ The files THAT ARE FORWARDED must include ~~regular~~ education records IN THE
30 PERMANENT FILE, special education records, and ~~any of the following information that is in the student's~~

1 ~~records:~~

2 ~~(a) special education tests;~~

3 ~~(b) original immunization records;~~

4 ~~(c) disciplinary information; and~~

5 ~~(d) any relevant information on the student, including but not limited to information on~~

6 ~~psychological tests or medical information. ANY DISCIPLINARY ACTIONS TAKEN AGAINST THE STUDENT~~

7 THAT ARE EDUCATIONALLY RELATED.

8 (5) A LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL MAY RELEASE STUDENT

9 INFORMATION TO THE JUVENILE JUSTICE SYSTEM TO ASSIST THE SYSTEM'S ABILITY TO

10 EFFECTIVELY SERVE. PRIOR TO ADJUDICATION, THE STUDENT WHOSE RECORDS ARE RELEASED

11 UNDER PROVISIONS OF 20 U.S.C. 1232G(B)(1)(E) OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY

12 ACT OF 1974, AS AMENDED. THE OFFICIAL TO WHOM THE RECORDS ARE DISCLOSED SHALL CERTIFY

13 IN WRITING TO THE SENDING OFFICIAL THAT THE INFORMATION WILL NOT, EXCEPT AS PROVIDED BY

14 LAW, BE DISCLOSED TO ANY OTHER PARTY WITHOUT PRIOR WRITTEN CONSENT OF THE PARENT OF

15 THE STUDENT.

16 (6) THE SUPERINTENDENT OF PUBLIC INSTRUCTION IS ENCOURAGED TO CONTACT OTHER

17 STATES OR PROVINCES AND MAY ENTER INTO RECIPROCAL RECORDS TRANSFER AGREEMENTS WITH

18 THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR A DEPARTMENT OF EDUCATION OF ANY STATE

19 OR PROVINCE. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUPPLY A COPY OF ANY

20 RECIPROCAL RECORDS TRANSFER AGREEMENT THAT IS EXECUTED TO THE COUNTY SUPERINTENDENT

21 OF EACH COUNTY THAT MAY BE AFFECTED BY THE AGREEMENT.

22 (7) UPON REQUEST, THE LOCAL EDUCATIONAL AGENCY OR ACCREDITED SCHOOL SHALL

23 TRANSFER BY MAIL OR ELECTRONICALLY A COPY OF THE PERMANENT FILE TO A NONPUBLIC SCHOOL

24 OR FACILITY.

25 (8) AS USED IN THIS SECTION, "LOCAL EDUCATIONAL AGENCY" MEANS A PUBLIC SCHOOL

26 DISTRICT OR A STATE-FUNDED SCHOOL.

27

28 NEW SECTION. Section 2. Codification instruction. (Section 1) is intended to be codified as an

29 integral part of Title 20, chapter 1, part 2, and the provisions of Title 20, chapter 1, part 2, apply to

30 [section 1].

