

## Oregon Administrative Rule 715-045-0018

### Recordkeeping

(1) Schools must furnish each prospective student, and have evidence of receipt acknowledged by student signature at the time of enrollment, with the following items:

(a) A copy of the school's most recent catalog that complies with OAR 581-045-0019, with any supplements and correction sheets;

(b) Completion and relevant program performance measures, including but not limited to placement data, as required by accrediting agencies, or certification or state licensing examination passage rates, or placement data for students enrolled in the program for the last two years;

(c) A program outline for the program(s) in which the student may potentially enroll that details the program outcomes, broken down by course including, the core abilities and individual course competencies addressed by the program(s); and

(d) Upon request of the student, a copy of or the web address for the Oregon Revised Statutes and Oregon Administrative Rules that govern Private Career Schools.

(2)(a) At the time of enrollment, a career school shall collect the following personally identifiable information from each enrolled student:

(A) First and last name;

(B) Mailing address;

(C) County of residence;

(D) State of residence;

(E) Telephone number;

(F) E-mail address;

(G) Social Security number;

(H) Date of birth;

(I) Gender;

(J) Veterans status;

(K) Disability status;

(L) National origin; and

(M) Ethnicity or race.

(b) Schools shall use the following categories to collect students' ethnicity or race data:

(A) Hispanic or Latino;

(B) Native American or Alaskan Native;

(C) Asian;

(D) Native Hawaiian or Pacific Islander;

(E) African American; and

(F) Caucasian.

(c) If a student refuses to release his or her Social Security number, the school may assign an alternative identification number.

(d) Students must provide their own personally identifiable information. Career school personnel may not enter personally identifiable information regarding a student that was derived from personal observations.

(e) Career schools must record for the name of the program in which each student has enrolled and the date on which each student graduated, withdrew, or was expelled from the school. This information must be reported to the commission at least once each year.

(3)(a) Each career school must adopt policies and procedures, and employ adequate safeguards, to protect their students' personally identifiable information from misuse, inadvertent disclosure, or theft.

(b) Career schools may not disclose students' personally identifiable information to anyone other than:

(A) The student, or the student's parent or guardian, if the student is a minor;

(B) The Higher Education Coordinating Commission; or

(C) Other local, state, or federal officials as allowed by law.

(c) Schools shall maintain students' personally identifiable information in accordance with applicable laws, including but not limited to the Oregon Consumer Identity Theft Prevention Act, ORS 646A.600 to 646A.628, and any rules adopted pursuant to ORS 646A.600 to 646A.628.

(4) Career schools shall maintain the student information specified in subsection (2) of this section in an Excel spreadsheet, or other electronic format identified by the commission. This information must be delivered to the Commission at least once a year, and may be included with the school's license renewal application, and may be delivered on a USB drive, CD or DVD, or via other means identified by the commission.

(25)(a) Upon enrollment, the student shall receive:

(a) A copy of his or her enrollment agreement, signed by the student and a school official; The enrollment agreement must include a statement, located above the signature line, informing the student that the enrollment agreement is a binding contract. The actual enrollment agreement will be retained by the school;

(b) A document signed by the student and that is separate from the enrollment agreement detailing the school's cancellation policy, which must include a statement that the enrollment agreement constitutes a binding contract; The school shall maintain the student's signed enrollment agreement as part of the student's file. copy of this document will be retained by the school.

(36) Schools shall maintain a file for each student that must include:

(a) A statement signed by the student at the time of enrollment certifying receipt of all materials indicated in sections (1) and (25) of this rule (or copies of materials where indicated);

- (b) The student's actual signed enrollment agreement ~~and cancellation policy acknowledgment~~;
- (c) A copy of the student's signed statement acknowledging receipt of any books, supplies, kits, or other substantial materials required to participate in the instructional program that are issued to the student subsequent to enrollment. The statement must be itemized, indicate the fee paid by the student for the materials (if any), and identify the date the materials were received by the student. If not all materials are issued at the same time, the student must initial the date of receipt each time materials are issued; alternatively, the materials list may contain a statement to the effect that certain indicated materials will be issued at the time of instruction when they are to be used. By initialing the statement, students acknowledge that indicated materials are to be received at a date that corresponds with the sequencing of the instructional program.
- (d) If an orientation is offered by the school on or before the first day of classes, an indication of attendance signed by the student on that orientation day acknowledging that school policies and procedures were explained and student questions were answered.
- (e) A copy of the student's signed payment plan if separate from the enrollment agreement;
- (f) A schedule of anticipated student payments due, payments made, and copies of receipts for all payments;
- (g) All documentation regarding third party training contracts, e.g., NAFTA, Vocational Rehabilitation, etc.,
- (h) Written progress reports that shall include at a minimum information on how the student is progressing in areas such as classroom attendance and performance (but not used as final grades) updated at appropriate intervals;
- (i) Progress reports may be maintained by electronic means provided there is an electronic system in place with sufficient security protocols to allow for student access while maintaining confidentiality. A log of student access activity must be placed in the student file at intervals corresponding with the stated progress report intervals to demonstrate that the student is reviewing the progress report and receiving appropriate feedback and improvement planning;
- (j) Copies of any documentation required for admission, or a written evaluation of required documentation, when appropriate, signed by a member of the school admissions staff explaining scoring of documentation and evaluation criteria;
- (k) A copy of the results of any enrollment evaluation or examination or evaluation of transfer credit or competencies, and any calculations used to determine awarding of credit or hours; and
- (l) Record of operations completed, if applicable, with dates and scores received;

~~(m) Student information that shall include:~~

~~(A) Legal name of the student;~~

~~(B) Mailing address;~~

~~(C) Telephone number;~~

~~(D) Student identification number assigned, if any;~~

~~(E) Social security number (if student signs disclaimer);~~

~~(F) Copy of disclaimer if signed by student acknowledging receipt of disclosure statement regarding the collection and use of social security number;~~

~~(G) Date of birth;~~

~~(H) Course or program of instruction; and~~

~~(I) Date of transfer if appropriate.~~

~~(#7) The school must maintain each student's file must be maintained for a minimum of 3 years from the date the student graduated, withdrew, or was expelled, after the student has completed or withdrawn.~~

(48) Schools shall maintain a record of each student's attendance, updated weekly. This record shall include each student's dates and hours of attendance.

(59) Upon the student's satisfactory completion of instruction, schools shall:

(a) Issue an appropriate certificate or diploma; and

(b) Issue appropriate educational transcripts that shall include, but are not limited to:

(A) School name and location;

(B) Student's name;

(C) First and last date of attendance;

(D) Specific program(s) taken;

(E) Clock and credit hours (if applicable);

(F) Grade for each course;

(G) Name of accrediting agency, if the school is accredited;

(H) Statement indicating the school maintains transcripts for a minimum of 25 years; and

(I) Signature of the appropriate school official with school seal (if any) and date of issue.

(610) Schools shall maintain and issue transcripts as follows:

(a) Store transcripts in a safe, vault, or file having a minimum one-hour fire-safe rating unless duplicate records are kept in a safe location outside the school building. The address of locations outside the school building must be on file with the Department;

(b) Keep transcripts of all former students that include the information described in subsection (5)(b)(A)-(H) of this rule for a period of no less than 25 years from date of termination of enrollment. Transcripts must be stored under the same conditions as described in paragraph (a) of this subsection;

(c) Make a student's records available to the student upon request. Availability of records shall comply with the "Family Educational Rights and Privacy Act" (Public Law 93-380 as amended by Public Law 93-568). The educational institution shall respond within a reasonable period of time, but not more than 45 days after receipt of the request;

(d) Deliver to the Superintendent all permanent student transcripts for safekeeping if the school should cease to operate. The Superintendent will maintain the transcripts of all closed schools. If available, certified copies of the transcripts will be provided, when a written request signed by the student, is received at the Department. A non-refundable search fee of \$10 must accompany the request; and

(e) A school may withhold an official transcript, certificate of completion, or diploma if the student has any outstanding debt owed to the school. Forms, letters, questionnaires, or other material printed or written for the purpose of debt

collection must clearly and conspicuously state that they are used for the purpose of attempting to collect a debt or attempting to obtain information concerning a debtor.

Stat. Auth.: ORS 345.325

Stats. Implemented: ORS 345.325

Hist.: ODE 32-2000, f. 12-11-00 cert. ef. 1-1-01; ODE 21-2002, f. 9-26-02 cert. ef. 10-1-02; ODE 17-2003, f. 12-30-03, cert. ef. 1-1-04; ODE 15-2006, f. 12-11-06, cert. ef. 1-1-07; ODE 16-2010, f. 11-15-10, cert. ef. 1-1-11