

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

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Vermont State Archives and Records Administration

Vermont Office of the Secretary of State

www.vermont-archives.org/records/schedules

AGENCY SPECIFIC RECORD SCHEDULE FOR: Education, Agency of

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This agency specific record schedule is applicable only to the records listed on this record schedule that are produced or acquired during the course of agency business. Records are any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** This is an agency specific record schedule (SRS). The agency (Education, Agency of) may develop its own internal policies and procedures to assure that the requirements outlined in this record schedule are being applied across the agency. Records that need to be retained until OBSOLETE must be supported by an internal policy that clearly states a specific retention requirement that best meets the agency's administrative needs. Specific Record Schedule (SRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a.
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on this record schedule may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** This agency specific record schedule reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.

Adopted by: Signature on file. Adopted by Secretary Vilaseca on May 28, 2013.

Armando Vilaseca, Secretary / Education, Agency of

Date

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SRS-1506.1107: School Construction Aid Project Files

SRS-1506.1107: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the certifying of construction aid projects for school building and sites.

Classification: School construction projects (Certifying)

Retention: Retain agreements, decisions, and reports until the State of Vermont has been refunded upon the sale by a district of any item, building or unit for which state construction aid was awarded and the terms and conditions specified in the agreements have expired, and then destroy.

Applications, checklists, and substantive correspondence related to aid provided for particular items, buildings or units shall be retained until the construction project is complete and final payment to the school district has been made, plus an additional three (3) years, and then destroyed.

Retain routine correspondence, notes, and reference sources until no longer needed administratively and then destroy. Incomplete or denied applications and related decisions shall also be destroyed when no longer needed administratively or, if appealed, after denial is affirmed by the Superior Court.

Registers or systems that serve as the formal list of school construction aid awarded by the State of Vermont shall be retained until the register is superseded and then appraised by the Vermont State Archives and Records Administration for continuing value.

Public Access: General

SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1506.1107 (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1506.1107.5 Agreements Public Access: <i>General</i>	Use for agreements between the agency and the school district. Includes substantive correspondence relating to agreements.	Temporary (Legal)	RETAIN UNTIL: Expired PLUS: 0 Year(s) THEN: Destroy (General)
SRS-1506.1107.8 Applications Public Access: <i>General</i>	Use for applications submitted to the agency for approval of school construction and renovation projects. Includes supporting material such as preliminary approvals, permits, budgets, plans, and similar records. Incomplete or denied applications should be destroyed when no longer needed administratively or, if appealed, after denial is affirmed by the Superior Court.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Destroy (General)

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SRS-1506.1107.22	Use for project summary documents where requirements are checked; dates of approval are noted; and award date and amount are recorded.	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed
Checklists			PLUS: 3 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1506.1107.28	Use for routine or general recorded communication concerning day-to-day agency activities, including routine correspondence with other agencies or the public.	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Correspondence (Routine)			PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1506.1107.53	Use for significant correspondence related to aid provided for particular items, buildings or units. For substantive correspondence concerning agreements or decisions, use SRS-1107.5 (Agreements) or SRS-1107.133 (Decisions).	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed
Correspondence (Substantive)			PLUS: 3 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1506.1107.133	Use for documents indicating approval or denial of school construction aid decisions, such as certificates of award. Includes substantive correspondence relating to decisions. Decisions related to incomplete or denied applications should be destroyed when no longer needed administratively or, if appealed, after denial is affirmed by the Superior Court.	Temporary (Legal)	RETAIN UNTIL: Expired
Decisions			PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1506.1107.60	Use for notes taken during conversations, meetings, telephone calls, or similar activities as an aid to memory.	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Notes			PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1506.1107.80	Use for material gathered for reference or informational purposes, but not required to support the project application.	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Reference sources			PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1506.1107.81	Use for registers, databases, and systems that provide for the systematic and regular accounting of school construction aid awarded by the State of Vermont.	Conditional Archival	RETAIN UNTIL: Superseded
Registers			PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Confirm

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SRS-1506.1107.144

Reports

Public Access: *General*

Use for recorded evidence of eligible and ineligible expenses to determine the amount and percentage of state aid to be awarded, and any other documents used in making award computations. Includes supporting material such as worksheets created in the process of calculating expenses and percentages, and other relevant records.

Temporary (Legal)

RETAIN UNTIL: Expired

PLUS: 0 Year(s)

THEN: Destroy (General)

SRS-1506.1107 was approved by the Vermont State Archivist on 11/17/2011.

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SRS-1533.1108: Special Education Hearings and Proceedings

SRS-1533.1108: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the hearing and settling of disputes related to special education. For records related to special education mediation use SRS-1533.1144 (Special Education Mediation Cases).

Classification: Special education (Adjudicating)

Retention: With the exception of legal notices, agreements, and logs, retain records related to a proceeding for seven (7) years after the proceeding is closed and then destroy by shredding.

Registers or similar systems that provide for the systematic and regular recording of special education proceeding activities shall be retained until the log is superseded and then appraised by VSARA for continuing value.

Other records shall be retained as specified in this record schedule, with the exception of transitory records. Transitory records created or received as part of a special education proceeding may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

Public Access: Redact

SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1533.1108 (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1533.1108.5 Agreements Public Access: <i>Redact</i>	Use for settlement agreements issued at the resolution of a special education proceeding.	Temporary (Legal)	RETAIN UNTIL: Expired PLUS: 7 Year(s) THEN: Destroy (Shred)
SRS-1533.1108.24 Complaints Public Access: <i>Redact</i>	Use for initiating complaints filed by parents or public agencies.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)
SRS-1533.1108.53 Correspondence (Substantive) Public Access: <i>Redact</i>	Use for correspondence that has significant administrative value and/or is essential to supporting a final decision in a special education proceeding.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)

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<p>SRS-1533.1108.133 Decisions Public Access: <i>Redact</i></p>	<p>Use for written evidence of final decisions. Includes final orders and dismissals. For directions or commands delivered during the course of a proceeding that do not serve as final decisions, use "Orders."</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)</p>
<p>SRS-1533.1108.136 Evidence Public Access: <i>Redact</i></p>	<p>Use for documentary material gathered as evidence and presented in the course of a special education proceeding.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)</p>
<p>SRS-1533.1108.50 Notices, Legal Public Access: <i>General</i></p>	<p>Use for hearing notices and other notifications required by law related to proceedings. Includes returned certified mail.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 1 Year(s) THEN: Destroy (General)</p>
<p>SRS-1533.1108.63 Orders Public Access: <i>Redact</i></p>	<p>Use for directions or commands delivered during the course of a proceeding that do not serve as final decisions. Includes scheduling orders. For final orders use "Decisions."</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)</p>
<p>SRS-1533.1108.81 Registers Public Access: <i>Redact</i></p>	<p>Use for formal abstracts or listings of all actions and pleadings related to a proceeding. Includes logs of access to records.</p>	<p>Conditional Archival</p>	<p>RETAIN UNTIL: Superseded PLUS: 0 Year(s) THEN: Confirm</p>
<p>SRS-1533.1108.139 Requests Public Access: <i>Redact</i></p>	<p>Use for requests and motions made related to a hearing, including requests for copies of records and to amend records. Includes application for appeal.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)</p>
<p>SRS-1533.1108.36 Supporting material Public Access: <i>Redact</i></p>	<p>Use for supplemental records created or received during the course of a proceeding. Includes hearing recordings or transcripts.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)</p>
<p>SRS-1533.1108.150 Waivers Public Access: <i>Redact</i></p>	<p>Use for authorizations that waive or exempt the right to a hearing or mediation.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (Shred)</p>

SRS-1533.1108 was approved by the Vermont State Archivist on 5/23/2013.

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SRS-1533.1144: Special Education Mediation Cases

SRS-1533.1144: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the intervention in disputes related to special education, by a neutral party who facilitates negotiations, examines the arguments of both sides, and proposes a solution, which, however, is not binding on the disputants. For records related to special education hearings and proceedings use SRS-1533.1108 (Special Education Hearings and Proceedings).

Classification: Special education (Mediating)

Retention: With the exception of agreements, lists, and dockets, retain records related to mediation for seven (7) years after the mediation is closed and then destroy by shredding.

Dockets or similar systems that provide for the systematic and regular recording of mediation activities shall be retained until the docket is superseded and then appraised by VSARA for continuing value.

Other records shall be retained as specified in this record schedule with the exception of transitory records. Transitory records created or received during mediation may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

Public Access: Redact

SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1533.1144 (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1533.1144.5 Agreements Public Access: <i>Redact</i>	Use for mediation agreements issued at the resolution mediation.	Temporary (Legal)	RETAIN UNTIL: Expired PLUS: 7 Year(s) THEN: Destroy (Shred)
SRS-1533.1144.53 Correspondence (Substantive) Public Access: <i>Redact</i>	Use for correspondence transmitted or received during mediation that has significant administrative value and/or is essential to supporting the terms of a mediation agreement.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 7 Year(s) THEN: Destroy (General)
SRS-1533.1144.117 Dockets Public Access: <i>Redact</i>	Use for formal abstracts or listings of all actions during mediation. Includes docket books and similar registers.	Conditional Archival	RETAIN UNTIL: Superseded PLUS: 0 Year(s) THEN: Confirm

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SRS-1533.1144.55	Use for lists of qualified mediators and mediation attendees maintained by the Agency.	Temporary (Administrative)	RETAIN UNTIL: Superseded
Lists			PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1533.1144.144	Use for mediation summaries and other reports issued during mediation. Includes evaluation forms received from mediation participants.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Reports			PLUS: 7 Year(s)
Public Access: <i>Redact</i>			THEN: Destroy (Shred)
SRS-1533.1144.139	Use for requests for mediation.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Requests			PLUS: 7 Year(s)
Public Access: <i>Redact</i>			THEN: Destroy (Shred)
SRS-1533.1144.36	Use for supplemental records created or received during the course of mediation. Includes copies of due process complaint applications.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Supporting material			PLUS: 7 Year(s)
Public Access: <i>Redact</i>			THEN: Destroy (Shred)

SRS-1533.1144 was approved by the Vermont State Archivist on 5/23/2013.

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Appendix A: Appraisal Values

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special conditions.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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Appendix B: Public Access Requirements

A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records or information within a record are exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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Appendix C: Retention Requirements

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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Appendix D: Disposition Requirements

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain permanently. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate records that meet the conditions of a "Vermont Archival Record" from those that do not (temporary).	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to Archives and destroy temporary records.

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Appendix E: Legal References

SRS-1506.1107: School Construction Aid Project Files		<i>Review for Exemption?</i>
16 V.S.A. § 3447	School building construction-State bonds; city as school district	No
16 V.S.A. § 3448	Approval and funding of school construction projects; renewable energy	No
16 V.S.A. § 3448a	Appeal [related to state aid for capital construction costs]	No
16 V.S.A. § 3448e	Construction of technical education facilities; approval and funding	No
16 V.S.A. § 3448f	Energy performance contracting; authorization; state aid	No
16 V.S.A. § 3449	Award, completed construction	No
16 V.S.A. § 3454	Deferred maintenance	No
16 V.S.A. § 3455a	Computer aided design	No
22 000 CVR 014	School buildings and sites	No
SRS-1533.1108: Special Education Hearings and Proceedings		<i>Review for Exemption?</i>
16 V.S.A. § 1075	Legal residence defined; responsibility and payment of education of pupils	No
16 V.S.A. § 2942	Definitions [related to special education]	No
16 V.S.A. § 2957	Special education administrative and judicial appeals; limitations	No
16 V.S.A. § 2958	Residential placement review team; residential placements [related to special education]	No
20 U.S.C. § 1232g	Family educational rights and privacy act (FERPA)	Yes
20 U.S.C. § 1415	Procedural safeguards [related to individuals with disabilities education act]	No
20 U.S.C. § 1417	Administration [related to individuals with disabilities education act]	No
22 000 CVR 002	State board of education [related to procedures of and in proceedings at]	No
22 000 CVR 004	Independent school program approval	No

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22 000 CVR 006	Special education rules	No
3 V.S.A. § 809	Contested cases; notice; hearing; records [related to administrative procedure]	No
3 V.S.A. § 810	Rules of evidence; official notice [related to administrative procedure]	No
3 V.S.A. § 812	Decisions and orders	No
34 CFR 300.507	Filing a due process complaint	No
34 CFR 300.508	Due process complaint	No
34 CFR 300.510	Resolution process	No
34 CFR 300.511	Impartial due process hearing	No
34 CFR 300.512	Hearing rights	No
34 CFR 300.513	Hearing decisions	No
34 CFR 300.514	Finality of decision; appeal; impartial review	No
34 CFR 300.515	Timelines and convenience of hearings and reviews	No
34 CFR 300.612	Notice to parents	No
34 CFR 300.613	Access rights	No
34 CFR 300.614	Record of access	No
34 CFR 300.618	Amendment of records at parent's request	No
34 CFR 300.623	Safeguards	Yes
34 CFR 300.624	Destruction of information	No

SRS-1533.1144: Special Education Mediation Cases

Review for Exemption?

16 V.S.A. § 2942	Definitions [related to special education]	No
16 V.S.A. § 2958	Residential placement review team; residential placements [related to special education]	No

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16 V.S.A. § 2959	Rulemaking; mediation [related to special education]	No
20 U.S.C. § 1232g	Family educational rights and privacy act (FERPA)	Yes
20 U.S.C. § 1415	Procedural safeguards [related to individuals with disabilities education act]	No
20 U.S.C. § 1417	Administration [related to individuals with disabilities education act]	No
22 000 CVR 006	Special education rules	No
34 CFR 300.506	Mediation	No