

FIRST REGULAR SESSION

HOUSE BILL NO. 1289

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEATON.

2565H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to the retention of student education records.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.027, to read as follows:

167.027. 1. As used in this section, "student special education record" means the following:

(1) An individualized education program, or IEP, as such term is defined in 20 U.S.C. Section 1401, as amended;

(2) An individualized family service plan, or IFSP, as such term is defined in 20 U.S.C. Section 1401, as amended;

(3) A 504 plan created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended;

(4) A record produced for a child with a disability, as such term is defined in 20 U.S.C. Section 1401, as amended; and

(5) Other records produced for a child under the federal Individuals with Disabilities Education Act (IDEA), as amended.

2. For the 2023-24 school year and all subsequent school years, a student special education record shall be deemed a permanent record and shall be maintained as a part of a child's cumulative scholastic record.

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **3. Notwithstanding any other provision of law, rule, regulation, or policy to the**
17 **contrary, no school district or public school shall destroy a child's student special**
18 **education record.**

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