

Procedures For The Disposition Of Inactive Special Education Records

What is an Inactive Record?

- Inactive records are the Special Education records of students who have:
- Enrolled in school but are no longer receiving Special Ed. services.
- Moved, and there is no knowledge of a forwarding school.
- Withdrawn from school, dropped out (officially or unofficially), moved, been withdrawn by parents to educate at home, etc.
- Graduated from high school or reached his/her 22nd birthday.
- Been evaluated for Special Ed. but not classified.

Contents of an Inactive Record

Combine the contents of current file and any old files to include:

- Record(s) of Access
- Permission to Evaluate form(s)
- Record(s) of Contact
- Evaluation record(s)
- Pre-referral form(s) or data
- Initial and Change of Placement form(s)
- Referral form(s)
- Record(s) of classification meetings
- All Prior Notice/Written Notice form(s)
- IEP(s)

How Records Are Stored?

- In a secured location at the school where a student last received Special Education services.
- With the same protections of confidentiality as active files.
- All access to inactive records must be documented in writing on the Record of Access form in the file.
- The school maintains a District-generated permanent database that contains student's name, date of birth, grade level completed, or graduation date; and date of file return to the District Office for destruction.

Where Student Records Are Stored?

- At the school where a student last received Special Education services, with protections of security and confidentiality.

How Long Records Are Stored?

- At the school for four (4) years after the student is declassified, graduates, turns 22, or leaves the school program.
- Each school personally delivers records once a year with a completed District generated delivery form that includes student name, date of birth, and that day's date, to the District Office for signature. The District Office and school each keep copies of the delivery form for permanent storage.
- Requests for records from parents/students must be in writing. Copies of records will be sent; and except for the latest IEP, the costs of copying will be borne by the parents/students.
- The District Office posts an announcement in the local newspaper to parents/students prior to the destruction of the records that they are "no longer needed".
- The announcement should contain a reminder to parents/students that records may be needed for Social Security benefits or other purposes.

Parent/Student Rights

- Students age 18 and over have full, legal access to their records.
- Right of protection of confidentiality
- Right to receive notice of the destruction of records
- Right to a copy of records anytime during the storage period
- Right to request the destruction of inactive records anytime during the storage period (in writing). If the District disagrees with the request, it may continue to retain records it considers essential in a more highly protected status, and must notify parents/students of that intention.
- Right to have records remain intact during the storage period if there is a current request to inspect or review them