

## NOTICE OF SPECIAL EDUCATION FILE RETENTION PROCEDURE

Special education case managers are responsible to ensure the special education file is in compliance with current Minnesota and federal requirements regarding the retention of records specific to special education students. In order to have a uniform policy regarding the retention and destruction of the records, the sponsoring school district served by the Southern Minnesota Special Education Consortium will ensure the latest Evaluation Summary Report (ESR), Individual Education Plan (IEP), Individual Interagency Intervention Plan (IIIP), previous evaluation reports, and Notice of Proposed Actions are placed in the special education file, along with any communication documentation, progress reports and test protocols.

A request for records prior to a date that is three years beyond the student's 21<sup>st</sup> birthday must be acted upon in a timely fashion. Once the date that is three years beyond the student's 21<sup>st</sup> birthday has been reached, only the last ESR, IEP, IIIP and Notice of Proposed action should be retained, in addition to the permanent record of the student's name, address, telephone number, grades attendance, grade level completed. The remaining special education documents should be shredded or otherwise completely destroyed.

Case managers must provide the File Retention Notice to the student and parent at the last meeting with the IEP team, indicating to the student of majority age and/or parents of their rights regarding the retention and destruction of the records. Indication should be made that the purpose of retaining the record is to provide evidence of a finding of an educational disability and for purposes related to public or private insurance or social security disability benefits or related issues. The case manager must get the student, and if the student is under the age of majority, also the parent, to sign the File Retention Notice, in front of a witness, who should also sign. The signed File Retention Notice should be placed in the student's special education file. A copy of the signed File Retention Notice should be given to the student and, if the student is under the age of majority, a copy should also be given to the parents.

NOTICE OF SPECIAL EDUCATION FILE RETENTION POLICY

In accordance with the policy adopted by the Southern Minnesota Special Education Consortium which includes, Grand Meadow, LeRoy-Ostrander, Lyle and Southland School Districts, and approved by the Minnesota Records Disposition Panel, notice is hereby being given as the length of time that your special education file will be maintained.

The record will be retained until **three** years after your 21<sup>st</sup> birthday in accordance with the District's retention schedule. At that time, the contents will be destroyed with the exception of the following which will be maintained without time limitation: The latest Evaluation Summary Report (ESR) including standardized and achievement test results, the latest Individual Education Plan (IEP), Individual Interagency Intervention Plan (IIIP), including student's name, address, phone number, and grade level completed.

By signing this notice, you are acknowledging the retention policy. No further notice will be given.

\_\_\_\_\_   
 Student

\_\_\_\_\_   
 Date

\_\_\_\_\_   
 Parent

\_\_\_\_\_   
 Date

\_\_\_\_\_   
 Witness

\_\_\_\_\_   
 Date