

Special Education Record Retention, Disposal, and Destruction

Throughout the school year, special education staff should send all original IEP records, including test protocols (not progress monitoring probes), to VASE within 2 weeks following any special education meeting.

Upon the enrollment of a new special education student that has transferred into the district from another district outside of the VASE member districts, special education staff should send copies of all records obtained from the sending district immediately to VASE.

Upon the permanent withdrawal of a student or following graduation, special education staff should review the school records and send any records not previously sent to VASE immediately to VASE. Include the exit form for the student. When in doubt if records have already been sent, go ahead and send the records to VASE, but add a notes explaining that records may be duplicates of records previously sent. Do not send copies of data logs, daily behavior chars, work samples, progress monitoring probes, etc. Schools need to keep these records on file for one year.

Before the end of each school year, special education staff should review their classroom files for current and past students and send any original IEP forms, progress reports, incident reports, records from outside districts, etc. to VASE. When in doubt if records have already been sent, go ahead and send the records to VASE, but add a note explaining that records may be duplicates of records previously sent. Teachers should not send to VASE copies of data logs, daily behavior charts, work samples, progress monitoring probes, etc. Schools need to keep daily behavior charts on file for one year after a student graduates or permanently withdraws.

Other records on file from previous school year: If a school has records of past students that have permanently withdrawn or graduated but such records have not previously been “cleaned out,” special education staff should follow the procedures above and review all files and send original forms, records from outside districts, etc. to VASE, but add a note that explains that such records may be duplicates of records previously sent. Once a file has been “cleaned out,” then the District may dispose of that file immediately. The records at VASE will become the official special education file for the student.

The official special education file of each student, including progress reports and incident reports, cannot be disposed of until five (5) years after graduation or permanent withdrawal of the student. Student daily behavior charts must be retained for one (1) year provided the information has been transferred to the student record somehow. There are specific steps that VASE and Districts must take to properly dispose of student records. Teachers should never dispose of original records on their own. Once all records have been received at VASE, then VASE takes responsibility for the proper disposal/destruction of records for Districts.