

DESTRUCTION OF NON-CURRENT RECORDS OF STUDENTS WITH DISABILITIES

Policy Code:

3580

The Watauga County Board of Education recognizes that the confidentiality of records of students with disabilities should be maintained and that the non-current records of students with disabilities should be destroyed in an appropriate and timely manner as required by this policy.

All confidential records of a student with a disability may be destroyed no earlier than five (5) years after an identified student with a disability has graduated, completed a course of study, or has exited from the program because the child has attained the age of 22.

For the purposes of this policy, non-current records refers to the records of students with disabilities who have exited the school system by graduation, certification or maximum age, and who have probably attained their 27th birthday.

A. DUE PROCESS INFORMATION

1. Parents, guardians, or eligible students (age 18 or older) shall be informed of their rights to secure copies of records prior to their destruction in accordance with the provisions of the Handbook of Parent's Rights and this policy.
2. Parents, guardians, or eligible students (age 18 or older) have the right to request the Watauga County Board of Education to destroy confidential information that has been collected, maintained, or used to provide special education to a student with a disability when the child is 18 years of age or older and is no longer in need of special education. The records shall be destroyed as soon as possible after the request.
3. Parents, guardians, or eligible students (age 18 or older) may request a copy of such records prior to their destruction. Such information may be useful in order for a student with a disability to receive certain benefits, including supplemental social security income, social security, or other financial benefits, legal defense or other purposes.
4. The Watauga County Board of Education, in addition to an annual notice, shall provide information on rights and confidential information at the following times: initial placement, re-evaluation, change in placement, exit from a special education program,(including prior to graduation or exit from school due to turning age 22), upon request for an evaluation, upon receipt of a state complaint or due process petition, upon revision of the procedural safeguards notice, or upon request.
5. The prior notice shall include a statement indicating that information such as the child's name, address, phone number, grades, attendance record, and classes attended, grade level completed, and year completed will be maintained without time limitations.

B. PUBLIC NOTICE CONCERNING RECORDS

Prior to the general destruction of non-current records, a public notice specifying that non-current records will be destroyed ninety (90) days hence shall be published in the local newspaper, forwarded to advocacy groups, and disseminated by other methods to ensure that the public understands the destruction of records policy. The public

notification shall occur annually.

C. SCHEDULE FOR DESTRUCTION OF RECORDS

The Watauga County Board of Education will annually destroy all non-current confidential records of all students with disabilities who have graduated, completed a course of study, or exited the program because he or she has attained the age of twenty two (22)_more than five years prior to the date when the records are to be destroyed.

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