

Confidentiality and Notice Regarding Retention and Destruction of Special Education Records (2018-2019 School Year)

All information gathered in the evaluation, identification, and programming of children who may require special education services is governed by confidentiality requirements under Pennsylvania and federal law, specifically, the Individuals with Disabilities Education Act and the Family Education Rights and Privacy Act. Records generated by this process, as well as records sought from non-school agencies, are confidential and protected by both federal and Pennsylvania legislation. Information to/from outside sources cannot

be requested/released without written parental consent and the District does not disclose personally identifiable information about students except as when so authorized under these laws. Information about confidentiality and access to your child's education records is available from your child's building principal, the Child Study Office, or the Early Intervention Office and is also described in the Family Information Guide.

Personally identifiable information no longer relevant to and necessary for the provision of Special Education and services to a student who has attended the School District of the City of Erie shall be destroyed annually by the School District of the City of Erie. However, a written record of a student's personally identifiable information, such as name, address, telephone number, grades, attendance records, classes attended, grade level completed and year completed, shall be maintained for 100 years beyond the date the student attains the age of twenty-four years.

In accordance with 34 CFR § 300.624, please be advised of the following retention/destruction schedule for the Pennsylvania Alternate System of Assessment (PASA), Pennsylvania System of School Assessment (PSSA), and Keystone Exam related materials:

- PSSA, Keystone Exam, and PASA test booklets will be destroyed one year after student reports are delivered for the administration associated with the test booklets.
- PSSA and Keystone Exam answer booklets and PASA media recordings will be destroyed three years after completion of the assessment.

The District will destroy all other Special Education records, except for the personally identifiable information as listed above, for all students eligible under the Individual's with Disabilities Education Act and / or Section 504 of the Rehabilitation Act of 1973 who were born before the year 1990. These records will be destroyed after August 31, 2018. Those who want to claim their Special Education records prior to the date of destruction must call 814-874-6102 to make an appointment to secure their personal Special Education records at the Erie School District Administration Building, 148 West 21st Street, Erie, PA.

The School District of the City of Erie Board of Directors defines “Special Education records” as follows: “Special Education, Gifted Education and Chapter 15 / Section 504 Service plan documents, consistent with the definition of “education records” in 34 C.F.R. part 99, which include in this context but are not limited to: Permission to Evaluation (Consent), Permission to Evaluate (Request), Permission to Re-evaluate (Consent), Permission to Re-evaluate (Request), Gifted Written Report, Evaluation Report, Re-evaluation Report, Individualized Education Programs, Gifted Individualized Education Program, Invitation to attend IEP meeting, Invitation to attend GIEP meeting, Notice of Recommended Education Placement, Notice of Recommended Assignment, Chapter 15 (504 Service Agreement), and other related documents and records which have been maintained by the District and were considered by the District and / or the IEP team in making any FAPE decision, including but not limited to decisions regarding eligibility, evaluation, necessary services and accommodations, content of individualized education programs and / or Section 504 / Chapter 15 service plans, placement, etc., of any eligible student.