Special Programs Records
Archive and Destruction Policy

Records Retention Schedule

Records are retained for 3 years after separation, and then destroyed

- Special Education Records (GRS-1476)
- Section 504 Records (GRS-16548)

Destruction of information (34 CFR § 300.624)

a) The public agency must inform parent(s) or adult student when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the student.

b) The information must be destroyed at the request of the parent(s) or adult student. However, a permanent record of the student's name, address, phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

c) Each student's records may be considered "no longer needed to provide educational services" and may be destroyed three years after the student graduates or three years after the student turns 22 under IDEA. Medicaid requires that records be maintained for at least five years after the provision of services.

Students' rights (34 CFR § 300.625)

a) The rights of privacy afforded to parent(s) are transferred to the student who reaches the age of 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated.

b) Under the regulations for FERPA at 34 CFR § 99.5(a), the rights of parent(s) regarding education records are transferred to the student at age 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated.

c) Because the rights accorded to parents under Part B of the IDEA are transferred to a student who reaches the age of 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated, the rights regarding educational records must also be transferred to the student. However, the LEA must provide any notice required under Section 615 of Part B of the IDEA to the student and the parent(s).