

Protocol Shredding Procedure Education
Special Education and Evaluation Services (SEES):
Revised July 11, 2011

The decision to shred all evaluation protocols was based on guidance provided from the Hungerford Law Firm (Law Update, Volume XIII, No. 1).

This practice includes the shredding of following documents:

- Assessment protocols
- Assessment observations
- Assessment scoring print outs
- Classroom observation notes
- Interview notes of parent/teacher/child
- Record review notes

The shredding of materials will occur only after a formal written summary of the data is completed and received by the district.

Parents may request to review the evaluation protocols. Districts must notify the SEES evaluator of this request prior to the completion of the psych-educational report. Once this request is made, the evaluator who completed the testing with the student will contact the parent to arrange a meeting. The evaluator will review the protocols with them and answer questions. While protocols will be reviewed with the parents, no copies will be made unless pursuant to court order or as otherwise required by law. OAR 581-021-0270(4): If a parent or an eligible student so requests, the educational agency or institution shall give the parent or eligible student a copy of the student's education records pursuant to ORS 192.440, except that no copy of test protocols, test questions and answers, and other documents described in ORS 192.501(4) shall be provided unless authorized by federal law.

Once the protocols are requested and shared with the parent, they become part of the student educational record and cannot be shredded. The ESD will retain the protocols in their ESD student record for the required five years (OAR Chapter 166, Division 400).

Districts should ensure that parents receive this protocol shredding procedure as part of their annual notification to parents regarding student records.