



Records Retention Schedule Office of Dispute Resolution

Introduction

The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., requires that each state and the District of Columbia establish and maintain procedures to ensure that parents of children with disabilities and public educational agencies have an opportunity to seek an impartial due process hearing to resolve disagreements over the identification, evaluation, and educational placement of a child with disabilities, or the provision of a free appropriate public education to the child. The Office of Dispute Resolution (ODR) within the Office of the State Superintendent of Education (OSSE) is responsible for the conduct of such hearings.

ODR provides parties the opportunity to request a paper or electronic transcript of the hearing proceedings, or an audio copy of the proceedings on a CD or an electronic file in accordance with Title 34 C.F.R. §300.512(a)(4). Staff of the Office of the Attorney General, or individual parties to a matter who have filed an appeal in court may also request a certified record of the proceedings. While these files are considered closed when the case is closed, ODR maintains the files and the certified hearing records in anticipation of requests.

Pursuant to D.C. Official Code § 2-1706, any record created or received by the District Government in the course of official business shall remain the property of the District of Columbia, and such records shall not be destroyed, sold, transferred or disposed of unless by records retention schedules or by other authorization approved by the District's Records Disposition Committee. This retention schedule is intended to ensure the efficient management, confidentiality, secured storage and destruction of records related to special education due process hearings, and is set forth to promote both security and confidentiality in accordance with established Federal and local rules and regulations.

ITEM	DESCRIPTION	TYPE OF RECORD	AUTHORIZED DISPOSITION
01	Hearing Records – Documents relating to a request for contested hearings and issuance of a final decision, including but not limited to, complaint, scheduling memoranda, case management, correspondence, motions, interim orders, and exhibits/documents submitted as evidence.	A. Paper B. Electronic (case management system) C. Electronic (Agency Shared Drive)	Destroy five (5) years after case is closed by ODR.
02	Hearing Officer Decisions (HODs) - Final decisions issued by Impartial Hearing Officers contracted by ODR to administer hearings for contested cases.	A. Electronic (posted to agency website).	Destroy six (6) years after case is closed.
		B. Electronic (agency shared drive)	PERM
03	Audio Hearing Records - Records of hearings and pre-hearing conferences in audio format.	A. Electronic (agency shared drive)	Destroy two (2) years after case is closed by ODR.
04	Reports - Any final report, on printed, electronic, or other media, that was developed using the data in an electronic case management system.	A. Electronic (agency shared drive) B. Electronic (agency website) C. Paper	Destroy three (3) years after report is generated.
05	Other ODR Records - Records relating to mediation or other facilitated meetings, community review panel meetings, stakeholder meetings and responses to stakeholder surveys.	A. Paper B. Electronic	Destroy two (2) years after record is created.