

Policy on Storage and Destruction of Returned MCAS-Alt Portfolios

In September of each year, the Department of Elementary and Secondary Education (ESE) returns scored MCAS-Alt portfolios to the school that submitted them the previous spring.

Once returned to a school, an MCAS-Alt portfolio becomes part of a student's *temporary record* and must be kept by the school in a secure location. Under the Massachusetts Student Records Regulations (available at www.doe.mass.edu/lawsregs/603cmr23.html?section=06), a temporary record contains everything that is not in the transcript and that is "clearly of importance to the educational process." Principals or their designees are required to review temporary student records periodically and to destroy portions that are "misleading, dated, or irrelevant." Prior to destroying these records, schools must give parents and eligible students written notice of the intent to destroy records, and of parents' rights to receive copies of these records before they are destroyed. (603 CMR 23.06(2).

Regardless of the obligation to review and periodically purge temporary records of "misleading, dated, or irrelevant" documents, schools *must* destroy students' temporary records no later than seven years after the student transfers, graduates, or withdraws from public school (i.e., student's temporary records *must* be destroyed *within* seven years after the student exits). However, schools *may* destroy "misleading, dated, or irrelevant" documents prior to this time by providing written notice to the student and his/her parent of the approximate date of destruction of the record and of their right to receive these materials in whole or in part prior to their destruction.

The Department has developed the following recommended time periods for schools to retain MCAS-Alt portfolios after the Department has returned them to the schools based on the general view that, over time, the importance of the portfolios to the educational process diminishes and ultimately they become dated and irrelevant. Accordingly, the Department suggests the following retention schedule for MCAS-Alt portfolios:

- grades 3–8 ELA and Mathematics portfolios: **two years** after return of portfolios to school
 - grades 5 and 8 Science and Technology/Engineering (STE) portfolios:
 - **three years** after grade 5 STE portfolios are returned to school
 - **two years** after grade 8 STE portfolios are returned to school
 - high school ELA, Mathematics, and STE portfolios: **two years after the student exits** public education

After the recommended time period, if the student is no longer in the district, or if the parent doesn't want the portfolio after receiving notice of the approximate date of destruction and the parent's right to receive these materials, the school may destroy the portfolio. Despite these recommendations, schools and districts should be aware of circumstances in which it may be prudent to retain MCAS-Alt portfolios longer than the recommended time period. For example, a student's MCAS-Alt portfolio, particularly for high school students, may be needed for a due process/BSEA hearing that occurs more than two years after a student took the assessment. For this reason, districts may wish to maintain MCAS-Alt portfolios for *longer* than the recommended periods of time and treat the destruction of MCAS-Alt portfolios, for specific students, on a case-by-case basis.