

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT

Impartial Hearing Decision Redaction Guide Sheet

Recent Office of Counsel guidance on the necessary redaction of confidential student information from impartial hearing office (IHO) decisions received by the Department in accordance with the Commissioner's Regulations has been based on the Family Educational Rights & Privacy Act (FERPA) regulations. Below are the specific types of student-specific information required to be redacted:

1. **The student's name or initials¹**
2. **The student's date of birth**
3. **The name of the student's parent or other family member**
4. **The address of the student or of the student's family**
5. **A personal identifier, such as social security number or student number**
6. **The specific school, unless it cannot be avoided (e.g., many districts have only one high school²)**
7. **The names of any school staff at the building level³**
8. **A list of personal characteristics that would make the student's identity easily traceable**
9. **Other information that would make the student's identity easily traceable⁴**
10. **Any mention of HIV/AIDS**

If any of the above items are referenced in a decision, they should be redacted.

¹If there is only one student referred to in the IHO decision, redact all student initials completely. If there is more than one student indicated in the decision by initials, replace the first one with an identifier such as "Student A" and the second one with "Student B" and so on.

²All New York City Department of Education (NYCDOE) IHO decisions must have the names of all schools referenced in the decision redacted.

³Administrative/District-level staff, such as a CSE chairperson or a psychologist for a school district do not have to be redacted. However, the names of administrators, teachers and/or related service providers, etc. at the building level will have to be redacted.

⁴A physical description of the student must be redacted unless it is integral to the IHO's decision. In addition, if there is a specific incident that occurred that may have led to the impartial hearing itself, such as a violent altercation between the student and someone else and it is described in detail in the IHO decision, this would all have to be redacted.