YOUR RIGHTS

Ask for the file

A request letter for your child's school records, and what to ask for once it arrives

You can inspect and review your child's education records. The school has to respond without unnecessary delay, before any IEP meeting, and no later than 45 days after you ask. Put the request in writing and keep a copy of it.

The request letter

Copy this into an email or a letter. Fill in the brackets. Send it to the case manager or the principal, and copy the special education office if your district has one.

Dear **[Name]**,

I am requesting to inspect and review all education records for my child, **[child's name, date of birth, school]**, under IDEA (34 CFR 300.613) and FERPA. This includes the cumulative file, special education file, evaluations, progress monitoring data, service logs, discipline records, and health records.

[Child]'s next IEP meeting is on **[date]**. Please provide the records before that meeting. I would prefer electronic copies, if possible. Please also send me a list of the types and locations of records the school keeps about **[child]**.

Thank you,

[Your name]
[Phone and email]

> **WHY THE WORDING MATTERS**
>
> "All education records" is the phrase that keeps a folder from being picked for you. Naming FERPA next to IDEA is a quiet way of saying you know both clocks are running.

What to ask for

- [ ] **The list of types and locations first.** 34 CFR 300.616. It tells you what exists before you know what to name.
- [ ] **The cumulative file.** Report cards, enrollment paperwork, attendance, and standardized test scores going back years.
- [ ] **The special education file.** IEPs, eligibility paperwork, every evaluation, prior written notices, meeting notes, and consent forms.
- [ ] **Progress data.** The data sheets, progress monitoring, and work samples behind the claim that your child is making progress.
- [ ] **Service records.** Therapy logs, attendance at services, and session notes.
- [ ] **Discipline records.** Referrals, suspensions, and behavior incident reports.
- [ ] **Health records kept by the school nurse.** Including the visits that never turned into anything.
- [ ] **Full evaluation reports, not summary pages.** Plus the eligibility worksheet the team filled out and any prior written notice that followed the meeting.

> **THE TIMELINE**
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> Without unnecessary delay. Before any IEP meeting, due process hearing, or resolution session. In no case more than 45 days after your request.
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> **45 days is the ceiling, not the plan.** If your meeting is in ten days, the meeting date is what the request is measured against.

If the records do not come

- Send a short follow-up in writing, and mention the 45-day timeline and any meeting date.
- Keep every email and letter. The paper trail is the whole point of asking in writing.
- If a fee shows up and the number is a problem, say so in writing and ask to review the records in person instead. The school may not charge you for searching for or retrieving records.

When the records arrive

- Sort by year and type, in a binder or a digital folder.
- Make a timeline of evaluations, IEP dates, and major changes. Patterns show up once the dates sit in one column.
- Flag what does not match: services listed but not logged, goals with no data behind them, notes that do not line up with what was said in the room.
- Write down five questions you actually care about before the meeting.
- If something is missing, list it by name in writing. A list gets a folder.

If something in the file is wrong

You can ask the school to change a record that is inaccurate, misleading, or that violates your child's privacy (34 CFR 300.618). If the school refuses, you can request a hearing on the record. If it still will not change, you can add a statement to the file explaining your view, and that statement stays with the record wherever it goes.

"Inaccurate" and "I disagree with the conclusion" are not the same complaint. A school will correct a wrong date or a service that was never delivered. It usually will not rewrite an evaluator's professional judgment.

Common questions

Can the school charge me for copies?

It may charge a fee for copies, unless the fee would keep you from exercising your right to review the records. It cannot charge for searching for or retrieving them (34 CFR 300.617). If the number is a problem, say so in writing and ask to review in person instead.

Can I see the test protocols?

You can usually review them. Some test materials are copyrighted, so schools handle copies differently. Ask to review them in person with someone who can explain the scores.

Can my advocate get the records?

Yes, with your written permission. Reviewing them together is often the better use of the hour.

> **Records on the table and not sure what you are looking at?**
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> Book a free 15-minute consultation at MyAccessAdvocacy.com

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