

SAMPLE LETTER

[YOUR FULL RETURN ADDRESS]

[DATE]

[NAME OF PRINCIPAL]

[CHILD'S SCHOOL]

[SCHOOL'S ADDRESS]

Dear [NAME OF PRINCIPAL],

I am the parent of [YOUR CHILD'S NAME] whose birthdate is [CHILD'S BIRTHDATE], and who is a student in the [CHILD'S GRADE].

I am writing to schedule a time to come to school and review all of my child's records (cumulative, confidential, discipline, and attendance). I will also need copies of all or some of these records. I understand that under the Family Education Rights and Privacy Act, I have the right to examine records kept in my child's personal file.

Please let me know where and when I can come in to see these records. (I need these records by [LIST ANY DEADLINE HERE].) You can reach me during the day at [YOUR DAYTIME TELEPHONE NUMBER].

I look forward to hearing from you soon. Thank you for your consideration.

Sincerely yours,

(YOUR SIGNATURE)



Student Records

Public Information Pamphlet #25

Can I inspect my student records or my child's student records?

What steps should I take to inspect my school records or my child's school records?

Can I get copies of these school records?

What can I do if there is wrong information in the file?

REMEMBER. The law often changes. Each case is different. This pamphlet is meant to give you general information and not to give you specific legal advice.

Please use the information found in this brochure carefully since the law is constantly changing and the information may not accurately reflect any changes in the law that occurred following the creation and publication of the brochure.

Pennsylvania Legal Aid Network, Inc.
118 Locust Street
Harrisburg, PA 17101
(800) 322-7572



Your Online Source for Legal Information and Civil Legal Aid in Pennsylvania

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The Pennsylvania Legal Aid Network of civil legal aid programs provides help for people who have no place else to turn



Student Records

Public Information Pamphlet #25

■ **A STUDENT'S** school file may contain grade reports, test scores, teacher comments, and discipline records for the entire time the student has attended school. It is important that the information in a student's file be accurate.

Can I inspect my student records or my child's student records?

Yes. The Family Educational Rights and Privacy Act (FERPA) allows inspection of student files by the student's parent, or by the student if she or he is over 18 or attending college. This applies to schools and colleges that receive federal money.

You have the right to inspect all records, including grade reports, achievement test results, evaluations, Individualized Education Programs, Service Agreements, discipline records, and attendance and health records. Only personal notes kept by an individual school employee for his or her own use are exempt.

While the law generally gives the school 45 days to present the file, most schools will show it to you right away. If your child receives special education services, you have the right to see the records sooner if you need the records to prepare for an IEP meeting or a due process hearing.

Parents can protect their children, participate in their education, and learn more about their progress in school and any problems they may be having by inspecting school files at least once a year.

What steps should I take to inspect my school records or my child's school records?

To inspect your school records (if you are over 18 or attending college) or your child's school records, usually you just have to go to the school office and ask to see the file. Some schools may require a written request, however. There is a sample letter at the end of this brochure. (Be sure to keep a copy of your letter for your records.) If you want, you can designate a representative, such as an attorney or advocate, to review and receive copies of the records.

When you inspect the file, if you see something you do not understand, ask a school official to explain it.

Can I get copies of these school records?

Yes. You may ask for copies of all or part of your child's school records (or your records, if you are over 18 or attending college). You may be charged for the copying costs unless you are unable to pay such a fee.

What can I do if there is wrong information in the file?

If you find something in the file that is incorrect, misleading, or in violation of the student's rights, ask the school official to take the wrong information out of the file, or ask that it be corrected. If the school official will not do this, you have the right to a hearing. You should ask in writing for the hearing and keep a copy of the request for your records.

At the hearing, you should explain why the information in your child's school file is not correct or should not be there. A hearing officer will decide whether the file should be changed.

Even if the hearing officer decides that the information in the student's file should stay as it is, you have the right to place your objections, reasons for disagreement, or explanation in writing in the school file too. In this way, anyone else who sees the file will get to read both sides.

Does the school have to keep student records confidential?

Students have a right to have their school files kept confidential. Generally, a student's file cannot be shown to anyone except the student or parents; teachers and school officials of a school where the student is applying or transferring; and persons who need to have certain information in health and safety emergencies.

There are a few instances where others may have access to student's files. Generally, the school must have the parent's written permission to release information, and a record must be kept of all persons who see the file. This record is called a "disclosure list" and is placed in the student's file. Parents, and students who are over 18 or attending college, have the right to inspect the list.

What can I do if the school refuses to let me see or correct my child's records or releases information without my consent?

Immediately send a written complaint citing names and dates and stating specifically how your rights have been violated to the Family Policy and Regulations Office, U. S. Department of Education, Washington, DC 20202. You can also call the Pennsylvania Education Law Center at (412) 391-5225 (Pittsburgh office) or (215) 238-6970 (Philadelphia office). You may also wish to contact your local Legal Services office.

If the student is handicapped or gifted, you can also write to the Division of Compliance (DOC), Pennsylvania Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, telephone (717) 783-6913.