

## **Student Record Notification for Parents**

### **Reviewing and Copying Records**

Parents have the right to see and read their child's educational records. Upon receiving a request, the school district must make your child's records available to you within 10 business days. A five-day extension of this deadline is possible under certain terms outlined in 105 ILCS 10/5.

The school district may charge a reasonable fee for copies of the record; however, if you cannot afford the fee, you still have the right to review and receive a copy of the records [23 IAC 375.50(b)]. Parents are to be provided a copy of evaluation reports and documentation of determination of eligibility upon completion of the administration of assessments at no cost [34 CFR 300.306(a)(2)]. Parents must be allowed access to any education records relating to their child that are collected or maintained by the school [34 CFR 300.613].

Parents can request that the district add, remove, or change information in the student file (23 IAC 375.90). Parents should submit a written request to the school district that explains their concerns. The request should be sent to the superintendent. When dealing with a request to add, change, or remove a student record, a parent needs to do the following: make sure you understand what the records say; talk to the school principal or district superintendent about the problem; write a letter about what you want and ask for a written answer.

If the problem is not resolved to the parent's satisfaction, the parent may request a "Records Hearing," which is different from a due process hearing, through your local school district to resolve the issues. Regardless of the outcome of the hearing, parents may put a note or letter in their child's school record to explain their point of view.

The rights of parents concerning education records are given to the student at age 18 unless parents have obtained guardianship or the student provided written consent for parental access. This means that if there is no guardianship established, an 18-year old student must sign a waiver permitting the parent to review the school records.

The following provisions provide relevant information on the issue of student records:

The Illinois School Student Records Act: 105 ILCS 10/1 et seq. (23 IAC 375 - Student Records) and the following:

34 CFR 300.306

34 CFR 300.322

34 CFR 300.613

### **IEP Meeting Materials**

At least three days before either an eligibility or an IEP meeting, parents must be given copies of all the written materials that will be reviewed at either meeting by mail, in-person, or other available method. This includes evaluation results, collected data, all IEP documents, etc. Parents may request to review logs regarding the delivery and minutes of related services provided to their child at any time.

105 ILCS 5/14-8.02f provides that "beginning July 1, 2020 no later than 3 school days prior to a meeting to determine a child's eligibility for special education and related services or to review a child's individualized education program, or as soon as possible if an individualized education program meeting is scheduled within 3 school days with the written consent of the child's parent or guardian, the local education agency must provide the child's parent or guardian copies of all written material that will be considered by the individualized education program team at the meeting so that the parent or guardian may participate in the meeting as a fully-informed team member."

Local education agencies must make logs that record the delivery of related services administered under the child's individualized education program and the minutes of each type of related services that has been administered available to the child's parent or guardian at any time upon request of the child's parent or guardian. Related services for which a log must be made are: speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services. The local education agency must inform the child's parent or guardian within 20 school days from the beginning of the school year or upon establishment of an individualized education program of his or her ability to request those related service logs.