

The Parent Information Center (PIC) is a recognized leader in building strong family/school/community partnerships. PIC provides information, support and educational programs for parents, family members, educators and the community. PIC is a pioneer in promoting effective parent involvement in the special education process.

*Serving the Families
of NH Since 1975*



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How To Do A Physical File Review



Parent Information Center

A file review may be important and beneficial if you:

- ☞ have not kept copies of all reports, minutes, letters, etc. and you would like to have a complete organized record;
- ☞ suspect that the school district may not have all existing records upon which to base decisions about your child;
- ☞ have concerns that meetings are becoming difficult to resolve;
- ☞ mediation, neutral conference or due process seem likely.

The right to a review of school records comes from the Family Educational Rights and Privacy Act of 1974.



This law applies to all children, whether they have educational disabilities or not. The NH Rules for the Education of Students with Disabilities also guarantees these same rights

and protections.

The law gives parents the right to:

- ✍ review all records;
- ✍ ask for corrections of any educational records relating to their child that are collected, maintained, or used by the school district;
- ✍ removal or correction of portions of the record under certain circumstances;
- ✍ know who else has reviewed the record—when and why;
- ✍ be assured that information contained in the record is kept confidential and made available only to individuals who have a right to know about it.

The physical file review can be done by the parent or by someone else who has the parent's written consent, to do the review on their behalf.

The following is a list of steps to help you do the file review:

- ➡ Send a detailed and dated letter and keep a copy (see pg 5 for a sample letter)
- ➡ The school district must arrange for you to inspect and review all school records within 15 calendar days of receiving your letter. Parents or another person that the parent has designated, have the right to inspect and review school records before any meeting regarding an IEP or a hearing. If the parents request it, the district must provide access to the



*If you need any additional information,
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SAMPLE LETTER REQUESTING TO REVIEW FILES

Your address
Date

Dear _____ :
(Special Education Director, Principal, or other contact person)

This is to request that you identify for me the location and custodian of all education records, files, audio tapes, video tapes, _____ correspondence, and computer-stored information that exist within the school district and SAU # _____ on my son/daughter _____(your child's name).

I would like to make an appointment to physically review and copy these records, files, correspondence, tapes, and computer-stored information.

I will contact you by phone to set up a mutually convenient time for this physical review. The following are some dates that would be convenient for me: _____, _____, _____.

Sincerely,

Your signature

Your typed or printed name
(remember keep a copy for your files!)



records before any meeting in regards to IEP or a due process hearing. They may charge you a minimal copy fee but not a retrieval fee. Ask for a written copy of this fee schedule.

- Confirm by phone a mutually agreeable time and date for the review after sending your letter.
- On the day of the file review:
 - bring someone to help you if possible;
 - bring a pad of lined paper, pen, and a pack of post-it notes;
 - bring your own file, organized by date;
- Ask the person who is giving you access to the files if there are any other files, records, etc., in the school district or in the SAU. Ask this in the beginning and at the end of the review.
- Expect that the school district may assign someone to be available for questions you may have. Limit conversations, be pleasant but businesslike. You may ask questions about the file at a later date.



- There may be several file folders/binders/tapes, etc. that you will review. It is important to identify each item carefully and accurately as you create a master list it on your lined paper. (See sample below)

SAMPLE FORMAT FOR RECORDING INFORMATION

Document Location	Date and Number of pages/sides	Identification of Document	Flag for Copying
Cumulative File	11-22-16 3 pages	Letter from R. Smith, Sp.Ed Director to parents	√
School nurse file	11-29-16 3 copies of same document	Evaluation report by Dr. X	√
Central office file	11-2-16 one page, two-sided	Mail receipt	√

- Organize yourself; prepare your own file in chronological order in a 3-ring binder before you go to the file review, and bring your own complete file with you. Take special care not to mix your file and the school district file together or to get the file out of order. Compare your documents to the district's documents page by page.
- Flag documents or pages for copying by placing a "post-it" on the top of the document. If you want only certain pages copied, write the page #'s to be copied on the "post-it". Only request copies that you need. Remember, the district may charge a fee for each copy.
- If documents are the same but have notations, receipt stamps, comments, or have additional pages, add a note to your listing that there are notations, etc. on pages 6 & 9, or whichever pages apply. Flag these pages for copying. Watch for any information or signatures that may be different from the version you have.
- If rights booklet etc., are included in the file be sure that you also have a copy. If not, flag it to be copied. Take note of the date on the rights, if there is any date. Look for receipt that you may have been asked to sign. It will help you know which version of rights you were given, how often, and on which dates.
- Be especially attentive for permission to test forms that you have signed, permission to exchange information with other professionals, and anything else that you have not seen or were not given a copy of, or documents that you did not retain for your records. Flag it for copying.
- Expect that you may not be able to get the copies you requested immediately. Usually within a week they will be mailed to you or you will be called to pick them up and to pay for them at this time.



- When you receive your copies, check them against your master list to be sure that all copies you requested were copied, and that you have all the pages. If one document refers to another document (letter, report, etc.), check to see if you have them all. If not, we recommend making an additional written request for those items.
- Be sure you are able to read all of the copies made. If you are unable to do so, request in writing that legible copies be made for you. Keep a copy of the letter for your files.
- When you receive your copies from the school district, mark the upper right hand corner of each with an * and indicate in a file note to yourself that all such marked documents were reviewed on _____ (date of file review) and were given to you on _____ (date that you received the copies).
- Integrate the new copies into your files by date (after you mark them and after you have checked them off on your master list that you developed on the day of the school district file review).
- If mediation or due process seems likely, copy the new documents for review and possible use for one of these procedures. Some parents just want a complete copy of their child's records for future use. A physical review of school district files by a parent does not necessarily mean that a conflict is expected. Some parents conduct such a file review before moving into a new school district or to another state.

