

Parent Request for Access to Educational Records (applies to general and special education students)

Federal regulations at 34 C.F.R. 300.613(a) require school districts to allow parents to inspect any educational records relating to their children that are collected, maintained, or used by the agency without unnecessary delay and in no case more than 45 days after the request has been made. Federal regulations at 34 C.F.R. 99.3 defines the term “educational record” as those records, files, documents, and other materials, which are directly related to the student, and are collected and maintained by the school district.

State regulations at K.A.R. 91-40-50(a)(2) defines the term “education record” as any document or medium on which information directly related to one or more students is maintained by a participating agency in accordance with K.S.A. 72-6311 and amendments thereto.

“Participating agency” means any educational agency or institution that collects, maintains, or uses personally identifiable student information to provide special education services to children with disabilities/exceptionalities.

Educational records may include, but are not limited to:

- academic work completed and level of achievement
- attendance data
- scores and test protocols of standardized intelligence, aptitude, and psychological tests
 - When a test protocol contains personally identifiable information directly related to a particular student, that protocol is an education record and a parent has a right to inspect and review it. In most cases, however, a parent would not have a right to a copy of a test protocol.
- interest inventory results
- health data
- family background information
- information from teachers or counselors
- observations and verified reports of serious or recurrent behavior patterns (e.g. discipline reports)
- IEPs
- documentation of prior written notice and consent

THE RIGHT TO INSPECT AND REVIEW THE STUDENT’S EDUCATION RECORDS WITHIN 45 CALENDAR DAYS OF THE DAY THE DISTRICT RECEIVES A REQUEST FOR ACCESS

Parents or eligible students (age-of-majority) should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Provide a parent, upon request, a list of the types and locations of records collected, maintained, or used by the district.

Identify and Locate Educational Records:

- Principals will ensure the educational records contain all of the student's records and are complete.
 - Using the definitions above, principals or their designee will check the student's enrollment history and status to determine if all educational records are available for parent/eligible student inspection.
 - If any documents, files, or records are not accessible via Synergy or other WPS electronic application or it is recognized that items are missing from the educational records, the principal or their designee will contact previous Wichita Public Schools (WPS) attended and obtain such documents, files, or records (e.g. if student attended a WPS elementary school, but records from that school are not in a printed or electronic file, the current school must seek to obtain those files for the student's educational record and for inspection by parent/eligible student).
 - Such records may include out-of-district records received by WPS.
 - If for any reason a document, file, or record that is electronic or printed cannot be accessed, contact Student Records for assistance in retrieval.

Inspection of Educational Records:

- The principal will make arrangements for parents or eligible students to review/inspect educational records onsite. Principals and parents/eligible students will schedule a date/time for inspection of the educational records at the school. A room will be made available for the inspection for privacy purposes. A staff member with knowledge of the records will be present when parents/eligible students arrive as scheduled to inspect the educational records. For example, a Child Study Team member is typically present to protect the privacy of the educational records and to answer questions a parent/eligible student may have regarding the records.
- Respond to any reasonable request made by a parent for an explanation and interpretation of a record.
- Provide a parent, upon request, access to the child's records, and under certain circumstances, a copy of the records (34 C.F.R. 300.613). Most districts copy records for parents without charge. However, the law does allow for fees for copies of records made for a parent if the fee does not prevent a parent from exercising the right to inspect and review those records. A fee may not be charged to search for or retrieve information.
- The Wichita Public Schools' fee, if charged, will be no more than 20 cents per printed page. If printed copies are mailed, the fee, if charged will not exceed \$5.00. If records are provided on a flash drive, the fee, if charged, will be not more than \$3.50. Principals will carefully determine if a fee should be charged in consideration of the nature of parents' request for educational records.

Contacts:

[Debbie McCurry](#), Student Records and Enrollment Supervisor

[Amy Godsey](#), Mediation/Due Process Supervisor