

SPECIAL EDUCATION STUDENT FILES

General Guidelines

1. Sites determine where to keep the special education student files, i.e., a site may choose to file together with the cumulative files or file in separate cabinets.
2. In the case of a student who **moves out of the district** and the GUHSD gets a request for the student's records from the district to which the student has moved, all his or her student records (cumulative and copies of the special education records) should go together.

Reminder: The law allows that the original record can be sent or the school can send copies. It is district protocol to send the cumulative file along with copies of the special education records. Parent signature is not required when another school or district requests records.

3. A **parent or the representative of a parent may inspect or request copies of their student's records**. California Ed Code requires that copies of the special education files, as well as a copy of the cumulative file, be **received by the parent within five business days** of an oral or written request.

Reminder: All record requests received from an attorney or another outside advocate or person who is not the legal guardian must have signed permission from the parent before the school can release records.

Special Education Inactive Student Files

1. If your site receives a record request for a student who is not active at your site, it is likely that the inactive file is from March 30, 2010, or earlier. Call the Special Education District Office to confirm (619-644-8121).
2. If there is a request for a student's record that is in the inactive files in Special Education (March 29, 2010, or prior), the request should be sent/referred to the Special Education District Office, Psychological Support Services, Attention:

Nancy Campas
Helix
Mt. Miguel
Granite Hills
Santana
Valhalla
West Hills

Francine Matuk
Grossmont
El Cajon
El Capitan
Monte Vista
Steele Canyon
Chaparral

3. All files that became or will become inactive at the school sites after March 30, 2010, will remain at the school sites to be handled in the same manner as cumulative files.
4. Special education inactive files must be kept for at least five years after the student exits from special education before they may be destroyed.

Reminder: Special education students, who do not graduate with a diploma, are still active until they are 22 years old. Thus, these records would be held until they are 27 years old.

What and How to Send

1. If another school district is requesting school records, send the cum file and a copy of the most recent IEP and Assessment (Psychological Report). If a “Tri” or the “Three Year Re-assessment Plan” form has been completed, include that as well. Additional special education records may be sent upon request by the receiving school district.
2. When a parent or their authorized representative requests educational records, send copies of the entire cum file and special education records, unless otherwise specified in the request.
3. Records can be faxed or mailed, but not e-mailed.
4. If the person requesting the records comes in to pick them up, they must complete a records request form and show proof.
5. You can verify if a student was or is receiving special education in VAX or WISER.
6. If the student was or is NOT receiving special education, a letter should be typed up stating this fact.
7. If a subpoena is received, send it to Rick Roberts or his secretary, Tracey St. John in IT&S at the district office. Once he approves, the subpoena will be returned to be processed.
8. There is no copying charge applied to the person requesting the school records.

Filing

There is no rule about how special education student files must be organized. A special education student file contains a copy of the student’s current and prior IEPs and other documentation of special education actions and procedures. These typically include:

1. Any form or page of an IEP, including a notice of an IEP meeting that has been sent to the parent and/or returned by the parent.
2. The signature page of an IEP that the parent has signed after the IEP meeting and sent to the site to be placed in the student’s file with the IEP of the same date .
3. Any assessment reports (e.g. Psychologist, Speech, Occupational or Physical Therapist reports).
4. Any Behavior Intervention Plans or Behavior Support Plans.

Making New Student Special Education Files

1. The Special Education District Office creates special education files for incoming 9th graders.
2. The enrolling school site will need to create a new file if any student enrolls directly at a site after the incoming 9th grade files have already been created by the Special Education District Office.

Duplicating

Copies of IEPs will be printed at the school sites after each IEP meeting by administrative designees. The copy signed by parent should be placed in the student's file at the meeting, if the special education folder has been pulled at the site for meeting, or the copy of the IEP is placed in a designated location to be filed by site personnel. A second copy should be provided to the parent.

Note: Parents can access their student's IEP through the Parent-Guardian Web Portal. Teachers can obtain copies of their students' IEPs through the Teacher Portal and Administrators/Counselors have access to IEPs from NeXsis.