

# Requesting Education Records

## Overview of the Law

- School districts must request records within two business days of a foster youth's enrollment. School districts must forward education records to a requesting school within two business days of receiving a request. *Cal. Educ. Code § 48853.5(e)(8)*.
- School districts and local child welfare/probation agencies may share education records of students in foster care or on probation without consent of a parent or guardian. *Cal. Educ. Code § 49076(i), (n)*.
- School districts must give an education rights holder a complete copy of a youth's education record within 5 business days of a request. *Cal. Educ. Code § 49069*.
- School districts cannot withhold transcripts, diplomas, or other records if school fees are owed. *Cal. Educ. Code § 48853.5*.



## Reasons to Request Records

- Track education performance over time;
- Understand the youth's history and current needs;
- Determine interventions that have or have not worked in the past; and
- Compare past and current testing to monitor academic progress.

## Best Practices for Requesting Education Records

### STEP 1

Upon enrollment, have the adult enrolling the youth complete the **Foster Youth Initial Education Intake Form**, including the school history portion. Gather additional school history information from CALPADS and/or any local data/records sharing sources within your county. Contact the youth's social worker or probation officer to fill any gaps in the youth's education history.

### STEP 2

Obtain a complete set of records for each youth by completing the **Records Request Form** for each school and district the youth has attended. Records must be requested within two days of the youth's enrollment.

### STEP 3

Send and retain proof of receipt. This is important in case there are difficulties receiving the records in a timely fashion and can be used to advocate for the quick transfer of records. If sending via fax, keep a copy of the fax transmittal report confirming that the fax was received. If sending via email, keep a copy of the sent email confirming that the email was sent.

### STEP 4

If, by the second business day, records are not yet received from each school requested from, contact the school(s) and request that they forward the records immediately. Make repeated efforts to obtain the records if they are not received within a reasonable amount of time. Contact the former district's Foster Youth Liaison, or your own, to seek assistance as necessary. If the sending school informs you that they do not have records for the youth or they sent the cumulative file to another school, ask that they send that information in writing.

### STEP 5

Check records for completeness and organize chronologically in preparation for the **Education Evaluation**. Ensure receipt of the following records from each school attended: (1) report cards/transcripts; (2) statewide testing scores; (3) attendance records; (4) discipline files including behavior referrals and suspension notices; and (5) if the youth has an IEP, IEPs for each year they were eligible and an assessment at least every three years.



Date:

TO: School/District:

Address:

RE: Name of Student:  Date of Birth:

Dear Records Clerk,

I request a copy of any and all general and special education records for the above mentioned foster and/or probation student. I am requesting all records, including, but not limited to the following:

- All Health Records
- All Cumulative Records (including attendance, progress reports, report cards and transcripts)
- All Discipline Records
- All State and Districtwide Testing, including STAR and SBAC testing, Stanford 9 Scores and CAT - 6 Scores
- All Correspondence (e.g., inter-office notes, memos, letters, etc.)
- All Special Education Assessments (e.g. psychological, educational, speech, OT, PT, etc.)
- All Individualized Education Programs

Please provide a physical copy of all records to the address below within two business days of this request. *Cal. Educ. Code § 48853.5*. Thank you for your attention to this matter. If you have any questions do not hesitate to contact me at your earliest convenience.

Signature:

Name:

Title:

School Name:

School Address:

School Phone Number: