This guide does not constitute legal advice. This guide attempts to summarize existing policies or laws without stating the opinion of Advocates for Children. If you have a legal problem, please contact an attorney or advocate.
INTRODUCTION

The Department of Education maintains educational records for every student. These records hold key information about your child’s progress and performance in school. They can be crucial advocacy tools for parents, if you know how to use them.

Reviewing your child’s education records allows you to monitor his or her progress over time, so you know what your child needs to succeed. Knowing more about your child’s school history will keep you informed during conversations with school staff and will help you advocate for your child. Reviewing your child’s records helps hold the school accountable to providing a high-quality education to your child. For parents of students with disabilities, special education records will also help you decide whether your child is in an appropriate placement.

This guide is meant for parents and caregivers, to inform you of your rights regarding your child’s education records and help you understand how to use them. It also offers suggestions for getting information on New York City schools.

For more detailed information on record procedures for students who attend NYC public schools, please refer to Chancellor’s Regulation A-820 at: http://docs.nycenet.edu/docushare/dsweb/Get/Document-44/A-820.pdf.

What Are My Rights?

The Family Educational Rights and Privacy Act (FERPA) is a federal law that grants parents five basic rights regarding their child’s school records:

1. The right to **review** your child’s education records.
2. The right to **challenge** any false or misleading statements in the records.
3. The right to require the school to get **written permission to disclose** personal information in the record, except in those cases allowed by law.
4. The right to **be informed** of your rights under FERPA.
5. The right to **file a complaint** when these rights have been denied.

FERPA grants these rights to a student’s parents, including non-custodial parents or parents who do not live with their children, unless a court order forbids it. When a child turns 18, the parents’ rights under FERPA transfer to the student.

FERPA applies to all public and charter schools, and to any schools that receive federal funds. Most private or parochial schools do not have to follow the legal requirements in FERPA.
“Education records” contain information directly related to a student. Education records include documents like report cards and state exam results, but they can include other information too. This information can be handwritten, on computer media, on a videotape, or in other electronic forms.

The Department of Education maintains education records on every student. Most education records are kept at your child’s school. Please see the lists below for details.

**Education Records Include:**
- Transcripts and Report Cards
- Attendance Reports
- State Tests (ELA and Math, for example)
- Regents Exams and Regent Competency Tests
- Department of Education Health Records, such as immunization forms
- Home Language Survey and NYSESLAT Results
- Guidance records and notes
- Anecdotal records on behavior
- Photographs and yearbooks
- Employment records from student jobs and internships

**Special Education Records Include:**
- Individualized Education Programs (IEPs)
- Psychoeducational Evaluations
- Other evaluations
- Physical examinations
- Social histories
- Behavioral reports and behavioral intervention plans
- Teacher observations and progress reports
- Correspondence between the school district and the parent
- Class profiles*

*A class profile contains the special education classification, academic levels and ages of all students in a class. It does not contain students’ names or personal information.

**Are Discipline and Suspension Records Included?**
Yes. A student’s education records can include notes and observation of events leading up to a suspension, as well as a record of the suspension itself. This information can be expunged if the suspension was unwarranted. Please see **Chancellor’s Regulation A-443** for more details on suspensions: [http://docs.nycenet.edu/docushare/dsweb/Get/Document-22/A-443.pdf](http://docs.nycenet.edu/docushare/dsweb/Get/Document-22/A-443.pdf).
How Can I Review My Child’s Education Records?

To request a copy of most school records, write a letter to your child’s school. List all of the documents you want to review, and follow up with the school once you have submitted the request.

Special Education Records
If your child has an IEP, the school might not have all of his or her special education records. If this is the case, you can request a copy of the student’s special education file from the Committee on Special Education (CSE).

• Identify the CSE that covers your child’s school.
• Call the records room manager at the CSE (see pages 14-15 for contact information).
• Write a letter to the records room manager, requesting the files you want to review.
• Follow up with the CSE to make sure they have received your request.

When Should I Make the Request?
Parents can request a child’s education records at any time. After you make the request, the school or CSE should make the records available to you as soon as possible, although they have 45 days to comply.

Can I Keep a Copy of the Records?
Yes. You have a right to get a copy of your child’s entire record. The school can charge you up to 25¢ a page, but this cost may be waived if you cannot afford it.

Records of Former Students
Former students wanting copies of their school records should write a letter to the school they last attended. Include as much information as possible in the letter, such as your name, date of birth, student identification number, dates of attendance, and address at the time you attended the school.

You can still request your education records even if your old school has closed. If a new school is located in the building, the new school should have your records. You can also ask the Children’s First Network (CFN) that covers the new school for help. You can find the appropriate CFN at http://schools.nyc.gov/Offices/CFN/default.htm.
Can I Access Education Records Online?

Many New York City public schools keep some student education records in electronic files on the **Achievement Reporting and Innovation System (ARIS)**. With a personalized log-in and password, you can access many of these records as well. These records may include:

**Academic Information**
- State test results, including yearly Math and ELA exams, English-language proficiency tests, and Regents exams
- Grades and transcripts (for middle and high school)
- Explanations of the tests your child has taken
- Information on New York State standards for your child’s grade

**Student Profile**
- Your child’s class and grade level
- Parent contact information
- Basic biographical data, such as when your child entered the school
- Attendance record

**School Data**
- Reports on your child’s school, including yearly progress reports, quality reviews, and learning environment surveys
- Information on how to enroll your child in a new school
- Links to the school’s website and additional resources for parents

To access ARIS, go to [www.arisparentlink.org](http://www.arisparentlink.org). Ask the school’s **Parent Coordinator** for a log-in and password. To get your account set up, you will also need a working email address.

If you have questions or concerns about the information you find on ARIS, contact the school. Your child’s teachers and the school’s principal have access to the information kept on ARIS, but this information should not be shared with others. As with any other education record, the school must obtain your **written permission** before releasing personal information kept on this website.

**ADVOCACY TIP**
ARIS allows your to monitor your child’s progress regularly throughout the year, which can help you be a better advocate for your child. Schools should update ARIS as new information becomes available, so check regularly.
What Can I Do If the Records are False or Misleading?

You have the right to challenge any false or misleading information in your child’s education records. This includes suspension records and behavior notes.

Amendment Requests and Appeal Procedures

Ask to amend the record. Submit a written request to amend your child’s record with the following information:

- The information that is false or misleading
- Where the information can be found in the file
- Why you believe the information is inaccurate
- What changes you want to make

Send requests to amend school records to the school principal. For some special education records, such as clinical reports or formal evaluations, also send the request to the Chairperson of the CSE for your school’s district. If you are unsure about where to send the request, send it to the principal and the CSE Chairperson.

Decision
The principal or CSE Chairperson has 15 school days to review the request and send you a written response explaining the decision.

Appeal
If the principal or CSE Chairperson denies your request to amend the record, you can appeal that decision. To do so, you may request a formal impartial hearing from the Superintendent.

- You must request the hearing within 20 school days after the principal or CSE Chairperson denies your request to amend the record, or fails to send you a decision.
- The hearing must be held within 20 calendar days after the Superintendent receives your hearing request.
- The hearing officer has 14 calendar days after the hearing to send you a decision.

Add your own statement
If the hearing officer denies your request to amend the record, you still have the right to add your own statement to the file. You can explain why you disagree with the hearing officer and how you believe the file should be amended. Your statement will be included with the information you disagree with, so whoever sees the file will see both sides of the story.
Who Might See My Child’s Education Records?

Usually, FERPA requires schools to get your written permission before disclosing personal information from your child’s records, but there are important exceptions. Schools can disclose information in your child’s record without your permission:

- To teachers and school officials who have legitimate educational interests in your child’s record.*
- To the student, if he or she is 18 or older. Once your child turns 18, your rights under FERPA transfer to your child. Then, you can access the file only if your child gives you written permission or if your child is still a “dependent” on your tax return.
- To juvenile justice officials, in order to provide educational services to a student prior to adjudication.
- In a health and safety emergency, if disclosing the records is necessary for the health and safety of the student or others.
- Under a court order or subpoena, as long as you are informed in writing first.

Schools can also disclose information from your child’s record to education authorities or research organizations conducting studies on educational issues. There are limitations on who can access this information and how the information is used.

What if the School Illegally Discloses Information About My Child?

First, write a complaint to the school’s principal. Describe what happened and request a remedy. For example, if your child’s teacher illegally disclosed the information, you might ask the principal to move your child to a different classroom. If you are unhappy with the response, write a complaint to the Community Superintendent. Again, describe what happened and request a remedy. You can find your Community Superintendent at: http://schools.nyc.gov/AboutUs/schools/superintendents/HSsupes.htm.

If you are still unhappy with the outcome, you can write a complaint to:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-4605

Important
Writing this office is a serious step. It is always a good idea to start your complaints at the school level. That way, you give the school a chance to address the problem. If you choose to write the Family Policy Compliance Office, include a clear description of what happened. You must submit the complaint within 180 days of the violation.
In addition to maintaining your child’s education records, the Department of Education also tracks information on all public and charter schools. This information can help you understand a school’s strengths and weaknesses. Independent organizations also provide information on NYC schools.

**NYC Progress Reports**
Progress Reports grade each NYC school with an A, B, C, D, or F. Grades depend on student performance, student progress, and the school’s environment. These progress reports are available for all public and charter schools, and they can show a school’s strength and weaknesses. Progress Reports can be found at: schools.nyc.gov/progressreport.

**NYC Schools Surveys**
Every year, teachers, parents, and students fill out school surveys. These surveys can tell you about the learning environment at each NYC public and charter school. Survey results can be found at: schools.nyc.gov/accountability/tools/survey/find.htm.

**NYC Quality Reviews**
NYC conducts in-depth quality reviews on some schools each year. These reviews are based on two or three days of observation, and they are more detailed than Progress Reports. You can find quality reviews at: schools.nyc.gov/accountability/tools/review/find.htm. There may not be a quality review for your child’s school.

**New York State Report Cards**
The New York State Department of Education publishes report cards on each NYC public or charter school. These report cards document a school’s progress, demographics, teacher quality, average class size, and rates of suspensions. Report Cards can be found at: reportcards.nysed.gov.

**To find out more:**
If you have more questions regarding NYC schools, you can visit schools.nyc.gov/accountability/data/default. This website contains more information on graduations rates, demographics, progress reports, and surveys. If you are looking for detailed data or information on your child’s school district, this website is a good place to start your research.
How Can I Get Information on My Child’s School?

Independent Reviews
Independent organizations also collect information on NYC schools. These sites often provide personal stories and observations from parents, teachers, and students, as well as news and information regarding NYC schools.

Insideschools.org provides reviews of individual schools and answers some frequently asked questions about New York City schools. This website also allows you to leave comments for other parents to view.

Schoolbook.org also provides information on individual schools. In addition, this website publishes news stories on New York City education, so you can keep up-to-date with new developments.

Freedom of Information Law (FOIL)
You or your Parents’ Association may want to know more about a school or district’s policies, statistics, and procedures. New York State’s Freedom of Information Law (FOIL) allows the public to request records from any government agency, including the Department of Education. Records may be inspected free of charge, but there is a duplication fee of 25¢ per page for copies of the records.

Why would I make a FOIL request?
Your school’s Parent Association may want to know the school’s annual budget, for example, or you might want to challenge a district policy, but need more information about what the policy is or why it was adopted.

How do I make a FOIL request?
You have two options. You can write a letter to the New York City FOIL Unit, or you can write to the State. In your letter, detail what documents you want to review. Requests for records must be made in writing, by mail or email.

Should I write to New York City or the State?
It depends on what you want to review. The NYC FOIL Unit usually has the most specific information on NYC policies and procedures, while the New York State FOIL Unit often has information on state-wide policies.
Once you make a request, the FOIL office has 5 business days to respond. They may ask for more time, or they may make the records available to you immediately. For additional information on FOIL requests, please visit: http://www.oms.nysed.gov/foil/.

Advocacy Tip
You can write to both FOIL offices to request the same information. Even if one office doesn’t have what you are looking for, they might be able to point you in the right direction.

How Can I Get Information on My Child’s School?

NYC FOIL Unit
Joseph Baranello, Records Access Officer
Freedom of Information Law (FOIL) Unit
New York City Department of Education
52 Chambers Street, Room 308
New York, NY 10007
Tel: (212) 374-6888
Email: FOIL@schools.nyc.gov

New York State FOIL Unit
Records Access Officer
New York State Education Department
89 Washington Avenue, Room 121 EB
Albany, NY 12234
Tel: (518) 408-1818
Fax: (518) 473-2827
Email: FOIL@mail.nysed.gov

A Note on Translation

Your child’s school must communicate critical information to you in your primary language. This includes information on academic performance, special education placement, and discipline records, to name a few examples.

As this critical information comes in, your child’s school must translate the education records or provide an interpreter to explain the records to you. **Chancellor’s Regulation A-663** grants parents the right to translation and interpretation services in order to communicate with their child’s school. If you want to review your child’s education records in your primary language, ask your child’s school to translate them or provide you with an interpreter.

For more information on document translation and sample request letters, please visit Advocates for Children’s website at: www.advocatesforchildren.org/who_we_serve/immigrant_students_and_english_language_learners.
**ALPHABET SOUP**  
Common abbreviations you may find in your child’s records

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<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>AIS</strong> – Academic Intervention Services.</td>
<td>Services available to students who are struggling in school and need additional instruction to meet grade standards.</td>
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<tr>
<td><strong>ARIS</strong> – Achievement Reporting and Innovation System.</td>
<td>Website where schools can post data on individual students. Parents can access the data with a log-in and password.</td>
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<tr>
<td><strong>ATS</strong> – Automate The Schools.</td>
<td>The NYC Department of Education's database that keeps data on each student.</td>
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<tr>
<td><strong>BIP</strong> – Behavior Intervention Plan.</td>
<td>Based on the results of a functional behavior assessment. Includes description of the problem behavior, reasons why the behavior occurs, and positive supports and services to address the behavior.</td>
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<tr>
<td><strong>CPSE</strong> – Committee on Preschool Special Education.</td>
<td>The CPSE coordinates all special education services for children aged 3-5.</td>
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<tr>
<td><strong>CSE</strong> – Committee on Special Education.</td>
<td>The CSE maintains special education files and coordinates special education services for students in charter and private schools. There are 10 CSE offices.</td>
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<tr>
<td><strong>CTE</strong> – Career and Technical Education.</td>
<td>CTE high schools offer academic and career preparation. Students may get internships through CTE schools.</td>
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<tr>
<td><strong>DOE</strong> – Department of Education (formerly known as the Board of Education).</td>
<td>The DOE manages all matters, policies, and practices related to public education in New York City.</td>
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<tr>
<td><strong>ELA</strong> – English Language Arts.</td>
<td>Refers to language-based skills, such as reading, writing, spelling, speaking, and listening. Also refers to the state exam that tests these skills.</td>
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<tr>
<td><strong>ELL</strong> – English Language Learner.</td>
<td>The term the DOE uses for students whose home language is not English, who do not test as English proficient when they enter NYC schools.</td>
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<tr>
<td><strong>FBA</strong> – Functional Behavior Assessment.</td>
<td>An assessment based on observations over a period of time. An FBA identifies problem behaviors, notes possible causes of these behaviors, and describes consequences from the behavior.</td>
</tr>
<tr>
<td><strong>FERPA</strong> – Family Educational Rights and Privacy Act.</td>
<td>Federal law that grants parents access to their child’s records and generally prevents schools from disclosing personal information.</td>
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### ALPHABET SOUP
Common abbreviations you may find in your child’s records

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<tr>
<td><strong>FNR</strong> – Final Notice of Recommendation.</td>
<td>Letter to parents from the Department of Education formally offering a special education placement.</td>
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<tr>
<td><strong>IEP</strong> – Individualized Education Program.</td>
<td>A written plan of services designed to enable a student with a disability to make progress in school. Every student receiving special education services has an IEP that must be renewed each year.</td>
</tr>
<tr>
<td><strong>LAB-R</strong> – Language Assessment Battery Revised.</td>
<td>Assessment given to students whose home or native language is not English. The LAB-R is given when the student enters the NYC school system and is used to determine whether the student is eligible for ELL services.</td>
</tr>
<tr>
<td><strong>MDR</strong> – Manifestation Determination Review.</td>
<td>A meeting held to ensure that a student is not excluded from school for behavior related to his or her disability.</td>
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<td><strong>NYSESLAT</strong> – New York State English as a Second Language Test.</td>
<td>Given every spring to ELL students to determine continued eligibility for services.</td>
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<tr>
<td><strong>RCT</strong> – Regents Competency Test.</td>
<td>Exam given to special education students who cannot pass the Regents exam. Only available to students who entered ninth grade before 2011.</td>
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<td><strong>RISA</strong> – Record of Individual Student Attendance.</td>
<td>Day-to-day record of a student’s attendance for the current school year.</td>
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<tr>
<td><strong>RTI</strong> – Response to Intervention.</td>
<td>Method of intervention that provides early assistance to students who are beginning to struggle in school. Also used to help determine eligibility for special education services.</td>
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<tr>
<td><strong>SES</strong> – Supplemental Education Services.</td>
<td>Academic tutoring provided to any student who qualifies for free lunch and attends an eligible Title 1 school.</td>
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<tr>
<td><strong>SHSAT</strong> – Specialized High School Admissions Test.</td>
<td>Determines admission into these NYC public high schools: Bronx HS of Science; Brooklyn Technical HS; HS of Mathematics, Science and Engineering at City College; HS of American Studies at Lehman College; Queens HS for the Sciences at York College; Staten Island Technical HS; and Stuyvesant HS.</td>
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<tr>
<td><strong>Title I</strong></td>
<td>Refers to a federal law that provides additional funding to schools with a high percentage of students who qualify for free or reduced-priced lunch.</td>
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## CONTACT INFORMATION:
### Committees on Special Education (Records Rooms)

<table>
<thead>
<tr>
<th>CSE</th>
<th>Records Manager(s)</th>
<th>Districts</th>
<th>Address</th>
<th>Phone # / Fax #</th>
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</table>
| 1   | Marcia Harris     | 7, 9, & 10 | 1 Fordham Plaza, Room 748  
|     |                   |           | Bronx, NY 10458  | T: 718-329-8076  
|     |                   |           |         | 718-741-5128    |
|     |                   |           |         | F: 718-741-7928  
|     |                   |           |         | 718-741-7929    |
| 2   | District 8:  
|     | Mandy Smith-Jackson |         |         |                 |
|     | District 11:  
|     | Angie Berrios     | 8, 11, & 12 | 3450 E. Tremont Avenue  
|     |                   |           | Room 233  
|     |                   |           | Bronx, NY 10465  | T: 718-794-7438  
|     |                   |           |         | F: 718-794-7445  |
|     | District 12:  
|     | Nally Cruz        |           |         |                 |
|     | High School:      |           |         |                 |
|     | Maria Ugarte      |           |         |                 |
| 3   | Districts 25 & 26:  
|     | Glenda Frazier    | 25, 26 | 30-48 Linden Place  
|     |                   |           | Flushing, NY 11354  | T: 718-281-3491  
|     |                   |           |         | F: 718-281-7585  |
|     | Districts 28, 29 & HHVI:  
|     | Carol Bell        | 28, 29 | 90-27 Sutphin Boulevard  
|     |                   |           | Jamaica, NY 11435  | T: 718-557-2767  
|     |                   |           |         | F: 718-557-2510  |
| 4   | Districts 24, 30 & High School:  
|     | Vera Glenn        | 24, 27, & 30 | 28-11 Queens Plaza North  
|     | Jeannette Joseph  |           | 5th Floor  
|     |                   |           | Long Island City, NY 11101  | T: 718-391-8405  
|     | David Caicedo     |           |         | F: 718-391-8437  |
|     | District 27:      |           |         |                 |
|     |                   |           |         | 82-01 Rockaway Boulevard  
|     |                   |           | Ozone Park, NY 11416  | T: 718-348-2903  
<p>|     |                   |           |         | F: 718-296-6637  |</p>
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<td></td>
<td>Lydia Padilla</td>
<td>District 23:</td>
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<td>6</td>
<td>Connie Cooper</td>
<td>District 19, 32 &amp; High School:</td>
<td>5619 Flatlands Avenue, Brooklyn, NY 11234</td>
<td>T: 718-968-6169, 718-968-6302, F: 718-968-6157</td>
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<tr>
<td></td>
<td>Cecile Baptiste</td>
<td>District 23:</td>
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<td></td>
<td>Karen Fisher</td>
<td>District 17, 18, &amp; 22:</td>
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<td></td>
<td>Joanne Gripper</td>
<td>District 23:</td>
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<td>7</td>
<td>Nancy Khantsis</td>
<td>Districts 20 &amp; 21:</td>
<td>415 89th Street, Brooklyn, NY 11209</td>
<td>T: 718-759-4855, F: 718-630-1640</td>
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<tr>
<td>8</td>
<td>Abraham Mathew</td>
<td>Districts 13, 14 &amp; High School:</td>
<td>131 Livingston St. 4th Floor, Brooklyn, NY 11201</td>
<td>T: 718-935-4421, F: 718-935-4916</td>
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<tr>
<td></td>
<td>Cynthia Wade</td>
<td>Districts 15 &amp; 16:</td>
<td></td>
<td>T: 718-935-4378, F: 718-935-4865</td>
</tr>
<tr>
<td>9</td>
<td>Milja Delaney</td>
<td>Districts 13, 14 &amp; High School:</td>
<td>333 7th Ave, 12th Floor, New York, NY 10001</td>
<td>T: 917-339-1723, 917-339-1724, F: 917-339-1721, 917-339-1474</td>
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<td></td>
<td>Vita Cacuzzo</td>
<td>Districts 15 &amp; 16:</td>
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(All Contact Information Last Updated June 2012)
Our Mission
AFC promotes access to the best education New York can provide for all students, especially students of color and students from low-income backgrounds. We use uniquely integrated strategies to advance systemic reform, empower families and communities, and advocate for the educational rights of individual students.

Still have more questions?

Please Call
The Jill Chaifetz Education Helpline
Monday through Thursday
10AM to 4PM
866-427-6033 (toll free)

Advocates for Children of New York, Inc.
151 West 30th Street, 5th Floor
New York, NY 10001
Phone (212) 947-9779
Fax (212) 947-9790
info@advocatesforchildren.org
www.advocatesforchildren.org