

## **2. Access Rights (34 CFR §300.613)**

### **a. Parent Access**

The LEA must permit you to inspect and review any education records relating to your child that are collected, maintained, or used by your LEA under Part B of the IDEA. The participating agency must comply with your request to inspect and review any education records on your child without unnecessary delay or before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after you have made a request.

- 1) Your right to inspect and review education records includes:
- 2) Your right to a response from the participating agency to your reasonable requests for explanations and interpretations of the records;
- 3) Your right to request that the participating agency provide copies of the records if you cannot effectively inspect and review the records unless you receive those copies; and
- 4) Your right to have your representative inspect and review the records.
  - a) The participating agency may presume that you have authority to inspect and review records relating to your child unless advised that you do not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.
  - b) If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
  - c) On request, each participating agency must provide you with a list of the types and locations of education records collected, maintained, or used by the agency.

### **b. Other Authorized Access (34 CFR §300.614)**

Each participating agency must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.