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#### 4. State Law

- a) Check your state, they may provide additional protections and requirements that would be helpful for students.
- b) Also, state laws may have more specific requirements as to the maintenance of school records. Requirements that a district maintain student's records even after they leave the district can help you obtain records from the school of origin months or years after the child left.
  - i. For example, in Illinois there is a 15 school-day timeline to produce records. This is much better than FERPA's 45 days.

#### **F. Strategies for Ensuring that School Records are Transferred**

1. Use one of the above laws to obtain records via a records request before a move, or soon after.
2. Send records requests to every school district the child has ever attended. Do not assume that the previous school districts transferred a complete file to the new school district.
3. Remind the district that under IDEA and McKinney-Vento they have an affirmative obligation to request records from the previous school district.

### **Resources**

- G. National Association for the Education of Homeless Children and Youth (NAEH CY) <https://www.naehcy.org>
- H. National Center for Homeless Education (NCHE) <http://center.serve.org/nche/about.php>
- I. National Coalition for the Homeless <http://nationalhomeless.org/about-homelessness/>
- J. National Law Center on Homelessness and Poverty (NLCHP) [www.nlchp.org](http://www.nlchp.org)
- K. ABA Center on Children and the Law Legal Center for Foster Care & Education <http://www.fostercareandeducation.org/>
- L. Students in Foster Care webpage by US Department of Education, <http://www2.ed.gov/about/inits/ed/foster-care/index.html>
- M. National Resource Center for Permanency and Family Connections <http://www.nrcpfc.org/is/education-and-child-welfare.html>