ADVANCE FOUNDATIONS ADVOCACY CENTER

Empowering Families. Protecting Student Rights. Ensuring Equitable Education for Every Child.

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FORMAL NOTICE, PRESERVATION DEMAND, AND REQUEST FOR IMMEDIATE ACTION

GENERAL FAMILY SAMPLE / EDITABLE TEMPLATE

HOW TO USE THIS SAMPLE

Use this when a serious school incident may involve student safety, physical handling, restraint/seclusion, suspected abuse or neglect, injury, employee misconduct, missing documentation, or another event for which evidence could be lost. Replace every bracketed field. Delete sections that do not apply. State only facts you know, clearly identify what someone else reported, and do not label conduct as a crime unless an appropriate authority has made that determination.

DATE: [Insert Date]

VIA: [Email / Certified Mail / Hand Delivery / Other]

TO: [Superintendent / Principal / Director of Special Education / Section 504 Coordinator / Other Appropriate Official]

SCHOOL/DISTRICT: [School / School System]

FROM: [Parent/Guardian Name(s)]

STUDENT: [Child's Name / Initials]

RE: Formal Notice Concerning [Brief Description of Incident/Concern], Preservation of Records and Evidence, and Request for Immediate Action

To Whom It May Concern:

I/We are the parent(s)/guardian(s) of [CHILD'S NAME], a [AGE]-year-old student at [SCHOOL NAME]. [If applicable: My/our child is a student with a disability who has an IEP / Section 504 plan / is being evaluated for special education or accommodations.]

This correspondence provides formal written notice of serious concerns involving my/our child and requests immediate action to protect the child, preserve potentially relevant evidence, provide appropriate educational access, and create an accurate written record of the school system's response.

1. Incident or Concern

On [DATE] at approximately [TIME], [describe what happened in clear factual language].

- What I personally saw or heard: [FACTS].
- What my child communicated or demonstrated: [FACTS / exact words if known].
- What a school employee, witness, or other person reported to me: [NAME/ROLE, what was reported, and when].
- Any injury, pain, distress, behavioral change, school refusal, fear, regression, or other change noticed afterward: [FACTS].
- Any video, photograph, message, report, medical record, or other evidence known to exist: [DESCRIBE].

IMPORTANT

Separate what you personally observed from what another person told you. If you are uncertain, say "I was told..." or "I am requesting clarification as to whether..." rather than presenting an assumption as a fact.

2. Timeline

[DATE / TIME]: [Event, person involved, communication, response, or follow-up.]

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3. Immediate Safety and Educational Impact

Since the incident/concern, I/we have observed the following effect on my/our child: [describe safety concerns, attendance issues, fear, behavior changes, injury, communication changes, missed instruction/services, or other educational impact].

I/We request that the school system address both the immediate safety issue and any resulting barrier to my/our child's access to education. If the school believes a requested action cannot or will not be provided, please respond in writing and identify the basis for that decision. For a child protected by IDEA, please provide Prior Written Notice when IDEA requires it for a proposal or refusal concerning identification, evaluation, educational placement, or FAPE.

4. Request for Immediate Action

Please take the following actions as applicable to this matter:

1. Confirm receipt of this notice and identify the administrator or office responsible for coordinating the response.
2. Take appropriate interim measures to protect my/our child while the matter is reviewed.
3. Provide a written explanation of how the incident was classified by the school (for example, ordinary discipline, protective intervention, restraint, seclusion, corporal punishment, injury, bullying, employee misconduct, or another category), if applicable.
4. Provide copies of any incident, injury, nurse, discipline, restraint/seclusion, behavior, safety, or administrative records concerning the event that the parent is legally entitled to receive.
5. Identify what required parent notifications, internal reports, external reports, or referrals were made, when they were made, and by whom, to the extent legally disclosable.
6. Provide the school/system policies relevant to the incident and the child's safety.
7. Explain what steps will be taken before the child returns to or continues in the setting, including any necessary supervision, staffing, communication, behavioral, health, or safety safeguards.

5. Optional IDEA / Section 504 Request

[DELETE THIS SECTION IF IT DOES NOT APPLY.] If my/our child has an IEP, Section 504 plan, is being evaluated, or the incident raises disability-related educational concerns, I/we request an appropriate team meeting as soon as practicable to address the educational consequences of this matter.

The team should consider, as applicable:

- current ability to safely access school and instruction;
- parent concerns and information arising from the incident;
- whether the child's academic, behavioral, communication, emotional, developmental, or functional needs have changed;
- whether additional evaluation, reevaluation, FBA, BIP, positive behavioral interventions/supports, counseling, related services, or other supports should be considered;
- whether the IEP or Section 504 plan should be revised;
- appropriate staffing, placement, supplementary aids/services, program modifications, supports for school personnel, and safety measures;
- how instruction and required services will be provided if the child cannot presently access the usual setting;
- whether missed special education, related services, or instruction require make-up or compensatory consideration; and
- a written transition/safety plan, if appropriate.

6. FORMAL PRESERVATION DEMAND

This letter places the school and school system on written notice to preserve potentially relevant records and evidence. Please take reasonable steps to prevent deletion, destruction, alteration, overwriting, recycling, loss, or routine disposal of relevant information, including electronically stored information.

Please preserve, to the extent such materials exist and are within the school/system's possession, custody, or control:

- classroom, hallway, entrance, common-area, bus, body-camera, or other video/audio showing the child, relevant employees, or the incident;
- complete original/unedited video or audio files, available metadata, exports, clips, and records identifying who accessed, copied, reviewed, or transferred them;
- incident, injury, nurse, discipline, behavior, restraint/seclusion, corporal-punishment, safety, and administrative records;
- emails, text messages, messaging-platform communications, internal chats, and other electronic communications concerning the child or incident;
- communications among teachers, paraprofessionals, administrators, special-education/504 personnel, district staff, transportation personnel, school-resource officers, law enforcement, child-protection agencies, or other involved entities;
- witness statements, employee statements, interview notes/recordings, investigative records, referrals, reports, and evidence logs;
- records showing when school or district personnel first became aware of the incident or related concerns;

- relevant prior reports or incidents involving this child, if any;
- attendance records, parent-contact logs, IEP/504 documents, service logs, behavioral data, progress data, and other educational records relevant to the impact of the incident; and
- any other physical or electronically stored information reasonably related to the incident, the child's safety/education, or the school system's response.

Please suspend any routine automatic deletion, overwriting, recycling, or retention process that could result in the loss of relevant video, audio, messages, logs, or other electronically stored information while this matter remains unresolved.

7. Records and Written Responses Requested

Please provide or make available, subject to applicable law and any lawful confidentiality limitations:

- my/our child's education records relevant to this matter;
- all incident/injury/restraint/seclusion or other parent-accessible reports concerning the event;
- written confirmation that potentially relevant video/audio and electronically stored information have been preserved;
- written identification of the person or office responsible for the school/system review;
- written clarification of immediate safety measures implemented for my/our child;
- relevant school/system policies and procedures;
- information about the process for requesting or inspecting additional records; and
- for an IDEA-eligible child, Prior Written Notice for applicable proposals or refusals concerning identification, evaluation, placement, or FAPE.

8. Requested Response

Please acknowledge receipt of this notice promptly. Because this matter concerns student safety and/or educational access, I/we request a written response addressing immediate safety measures and preservation of evidence as soon as reasonably possible, and identification of the next meeting, review, or response step.

Nothing in this letter is intended to waive any rights or remedies available to the student or family under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, FERPA, Louisiana law, school-board policy, or other applicable law. The purpose of this notice is to protect the child, preserve information, obtain an accurate record, and seek an appropriate educational response.

Sincerely,

[Parent/Guardian Name]

[Address]

[Telephone]

[Email]

Parent/Guardian of [Child's Name]

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PARENT CHECKLIST BEFORE SENDING

- Replace every bracketed field and delete instructions that do not apply.
- Use dates, times, names/roles, exact words, and observable facts whenever possible.
- Do not alter original screenshots, photos, videos, emails, or messages. Keep originals.
- Attach only documents needed to support the notice; keep a complete copy of what you send.
- Send in a way that creates a delivery record (for example, email and/or another trackable method).
- Keep the sent message, attachments, delivery confirmation, and every response in your family advocacy file.
- If there is an immediate medical or safety emergency, seek appropriate emergency assistance; this template is not a substitute for emergency reporting or individualized legal advice.

KNOW-LEDGE: WHAT THIS LETTER DOES

This letter creates a dated written record, tells the school/system what the family says occurred, asks that evidence not be lost, identifies immediate requests, and preserves a clear paper trail. A preservation demand does not guarantee that every requested record must be released to the parent; access can depend on FERPA, IDEA, Louisiana law, public-records rules, personnel confidentiality, law-enforcement restrictions, and the specific record involved.

Legal Reference Notes for Families

For students with disabilities, IDEA requires the IEP Team to consider parent concerns and the child's academic, developmental, and functional needs. When behavior impedes learning, the team must consider positive behavioral interventions and supports and other strategies. 34 C.F.R. § 300.324. IDEA Prior Written Notice is required a reasonable time before a public agency proposes or refuses certain actions concerning identification, evaluation, educational placement, or FAPE. 34 C.F.R. § 300.503. Louisiana also has specific requirements governing seclusion and physical restraint of students with exceptionalities. Families should apply the law to the individual facts with appropriate professional assistance when needed.

AFAC ADVOCACY SUPPORT NOTE

This is a general educational sample prepared by Advance Foundations Advocacy Center to help families organize facts, preserve evidence, and communicate requests. It is not legal representation, does not create an attorney-client relationship, and is not a substitute for individualized legal advice. Laws, policies, and timelines may change; families should verify current requirements and obtain legal counsel when appropriate.