The Public Schools of Brookline
Student Records Requests

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of personally identifiable information contained in a student's educational record. FERPA applies to all schools (K-12 and postsecondary institutions) that receive funds under various programs from the U.S. Department of Education. FERPA defines educational records as "records containing information in any medium (paper, electronic, microfilm, etc.) that directly relate to a student and are maintained by an educational institution or by a party acting for the institution."

Anyone who handles personal information about students or other staff members has the obligation to maintain strict confidentiality. Records must be treated confidentially and professionally. They may be discussed only with individuals authorized to have access to such records.

FERPA and the Massachusetts Student Records Regulations together provide parents and eligible students (those who have reached the age of 14 or who have entered ninth grade) certain rights with respect to the student's education records.

Procedures for Parent/Eligible Student Requests for Student Records

This procedure outlines how parents and eligible students (age 14 or in grade 9 and above) may request access to educational records in accordance with the **Family Educational Rights and Privacy Act (FERPA)** and **Massachusetts Student Records Regulations (603 CMR 23.00).**

Definitions

Educational Record

Any record paper, electronic, digital, microfilm, etc.that:

- Directly relates to a student, and is maintained by PSB or a party acting for PSB.

Transcript

The permanent, administrative record including:

- Student name, address, phone number
- Parent/guardian name, address, phone
- Birthdate
- Course titles, grades/credits, grade level completed, and year completed

Transcripts are maintained for **60 years**.

Temporary Record

All other information relevant to the educational process, including:

- Standardized test results
- Counselor/teacher evaluations
- Extracurricular activities
- Attendance
- Discipline

Temporary records are destroyed no later than **7 years** after the student leaves PSB.

Eligible Student

A student who:

- Has reached **age 14**, or
- Is enrolled in **ninth grade or higher**

Eligible students assume FERPA rights previously held by their parents.

Right to Access Educational Records

Parents and eligible students have the right to inspect and review a student's educational records.

How to Submit a Request

1. The Public Schools of Brookline encourages you to use the **Request a Student Record** link to make a student records request to the School District. This helps to ensure the most expeditious and accurate response to your request. Otherwise, written requests may be delivered by hand, mail, or email to the **school principal/head of school.**
2. **Submit a written or email request** to the **school principal/head of school**.
   Requests must include:
   - Student's full name
   - School and grade level
   - Specific records requested (e.g., full student record, transcript, discipline records, IEP/504 documents, attendance records)
   - Name and relationship of requester
   - Preferred method of access (in-person review, electronic copies, paper copies)
3. The principal/head of school may designate another administrator (e.g., Assistant principal, School Registrar, administrative assistant) to coordinate the request.
4. Requests for **special education records** may also be made directly to the **Office of Student Services.**

Timeline for Access

- Access to student records will be provided **within 10 days** of receiving the request, per 603 CMR 23.07(2).
- Reasonable copying fees may apply, except where prohibited by law.

Special Procedures for Non-Custodial Parents

Non-custodial parents may access student records **unless** PSB receives documentation showing one of the following:

- The parent has been **denied legal custody** or has **supervised visitation due to threats to the child**, and the threat is specifically noted in the court order
- The parent has been **denied visitation**
- The parent's access is restricted by a **temporary or permanent protective order**, unless the order specifically permits access to student records
- There is a **court order** prohibiting release of student records

Annual Documentation Requirement

Under M.G.L. c. 71 § 34H and 603 CMR 23.07(5), a non-custodial parent must annually submit to the **principal/head of school**:

1. A written request for records
2. A copy of the current parenting plan, custody order, or other relevant court documentation

PSB may require **up to 21 days** to verify documents before providing access..

Requesting Amendments to the Student Record

Parents or eligible students may request that inaccurate or misleading information in the record be amended.

How to Request an Amendment

Submit a written request to the **principal/head of school**, including:

- Specific information to be amended
- Why it is inaccurate, misleading, or violates the student's rights

The principal/head of school will review the request and respond in writing. If the request is denied, the parent/eligible student may request a **formal hearing**.

Consent for Disclosure of Personally Identifiable Information

PSB must obtain parent/eligible student consent before releasing personally identifiable information **unless** an exception applies.

Disclosures Allowed Without Consent

Examples:

- To PSB school officials with **legitimate educational interests**
- To officials of another school where the student seeks or intends to enroll
- When required by law (e.g., certain state agencies)

Information Not Defined as Educational Records

The following are **not** considered educational records under FERPA:

- Sole possession records (private notes kept by staff and not shared)
- Certain law enforcement records
- Staff employment records
- Records created after a student is no longer enrolled

These materials may be protected by other state and federal laws.

Maintenance and Destruction of Records

- **Transcripts**: Maintained for **60 years**
- **Temporary Records**: Destroyed within **7 years** of graduation, withdrawal, or transfer

Parents/eligible students may request copies of the temporary record **before destruction**.

Complaints about Compliance

Parents/eligible students may file complaints with:

Massachusetts Department of Elementary and Secondary Education

350 Main Street
Malden, MA 02148

Family Policy Compliance Office

U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Summary of Steps for Parents Requesting Student Records

1. **Use the Request a Student Record link to make a student records request to the School District OR**
2. **Write to the principal/head of school** requesting records
3. **Identify the records requested**
4. **Provide any necessary custody documents** (if non-custodial)
5. **Receive access within 10 days** (unless non-custodial needs verification)
6. **Request copies** if needed
7. **Request amendments** if information is inaccurate
8. **Submit yearly directory information opt-out** if desired

DESE Student Records: Questions, Answers and Guidelines