

PROCEDURE FOR INSPECTING AND REVIEWING STUDENT EDUCATION RECORDS IN ACCORDANCE WITH FERPA

The Maggie L. Walker Governor's School procedure outlines the steps for parents (of students under 18) or eligible students (students 18 years or older, or those attending post-secondary institutions) to inspect and review education records. It complies with the Family Educational Rights and Privacy Act (FERPA), a federal law that protects the privacy of student education records and grants specific rights of access.

Key FERPA Definitions

- Education records: Records directly related to a student and maintained by the educational agency or institution (or by a party acting for the agency/institution). This includes transcripts, grades, disciplinary records, health records maintained by the school, and more. Certain records (e.g., law enforcement unit records, sole possession notes, or employment records) may be excluded.
- Parent: Includes natural parents, guardians, or individuals acting as parents.
- Eligible student: A student who has reached 18 years of age or attends a postsecondary institution.
- Rights generally transfer from parents to the eligible student at age 18 or upon postsecondary enrollment.

Rights Under FERPA

Parents or eligible students have the right to:

- Inspect and review the student's education records.
- Request explanations and interpretations of the records.
- Seek amendment of inaccurate or misleading records (separate procedure).
- Receive a copy of the school's FERPA policy.

Schools must:

- Comply with access requests within a reasonable period, not more than 45 calendar days after receipt.
- Respond to reasonable requests for explanations.
- Provide copies or make other arrangements if circumstances prevent in-person inspection (e.g., distance, disability).

- Not charge fees solely to search for or inspect/review records. Reasonable copying fees may apply if copies are provided (except where they are required due to circumstances preventing inspection).

Step-by-Step Procedure

1. Submission of Request

The parent or eligible student submits a written request (email or form 4050-F) to the designated school official (e.g., registrar, director, or FERPA compliance officer). The request should:

- Identify the student.
- Specify the records sought (as specifically as possible).
- Indicate preferred inspection date/time or any special accommodations needed. Schools should maintain a standard FERPA request form.

2. Acknowledgment and Review for Compliance

The school acknowledges receipt within [5 business days, e.g., 5] and verifies:

- Requester's identity and authorization (e.g., photo ID, court documents for guardians).
- That the records exist and are subject to FERPA.
- Any portions containing information on other students (only the relevant parts about the student in question may be disclosed).

If the request is denied in whole or part, provide a written explanation (e.g., records not maintained by the school, or exempt category).

3. Scheduling the Inspection

Arrange a mutually convenient time and place within 45 days. Options include:

- In-person review at the school during business hours, with a staff member present.
- Virtual review (secure platform) if appropriate.
- Provision of copies or other arrangements if in-person access is not feasible. The school provides reasonable explanations/interpretations upon request.

4. During the Inspection/Review

- Staff supervises the session.
- The requester may take notes or request copies (subject to any applicable fees).

- No alterations or removal of records is permitted.
- Records of other students must be redacted as needed.
- The requester may insert a written statement of explanation if they disagree with content (this becomes part of the record).

5. Documentation

- Maintain a log of the request, date received, action taken, and any disclosures (as required by FERPA recordation rules).
- Provide a confirmation to the requester upon completion.

6. Amendment Requests (If Applicable)

If inaccuracies are identified, follow the school's separate FERPA amendment procedure (inform requester of the right and process).

Responsibilities

- Designated FERPA Officer: Oversees compliance, responds to requests, and maintains records.
- Staff Training: All relevant staff receive periodic training on FERPA requirements.
- Annual Notification: Schools must annually notify parents/eligible students of their FERPA rights, including procedures for inspection.

Limitations and Exceptions

- Rights do not extend to creating new records or maintaining records indefinitely.
- Certain disclosures or access restrictions apply (e.g., directory information, subpoenas, health/safety emergencies).
- If records contain information about multiple students, only the relevant portion is accessible.
- Postsecondary students: Rights generally belong to the student, with limited parental access.

Complaints

Parents or eligible students may file a complaint with the U.S. Department of Education's Student Privacy Policy Office (SPPO) if they believe the school failed to comply.

Recommended: Consult the official FERPA regulations (34 CFR Part 99) for institution-specific tailoring. Schools should review this procedure annually for compliance.

This procedure ensures timely, secure, and privacy-protective access while fully meeting FERPA obligations.

Adopted: September 17, 2026

Legal Ref: <https://studentprivacy.ed.gov/ferpa>

Cross Ref: Pol 4045 Student Education Records