



BEVERLY PUBLIC SCHOOLS
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Dear Parent:

I am writing to advise you of a Massachusetts law that affects non-custodial parent's ability to access their child's records. As M.G.L. c.71, § 34H requires a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
 2. the parent has been denied visitation
 3. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, except where the protective order, or any subsequent order, which modifies the protective order, specifically allows access to the information contained in the student record.
 4. there is an order of a probate and family court judge which prohibits the distribution of student records to parents
- (b) The school shall place in the student's record any documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- (d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (e) The school must delete all electronic and postal addresses and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

If you should have any questions please contact your principal.

Sincerely,

Steven Hiersche, Ed.D.
Superintendent of Schools