

STUDENT RECORDS File: 10.16 (cont)

- c. School nurses who inspect the student health record.

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for the information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

Access to Student Records:

5. **Access Procedures for Non-Custodial Parents.** As required by M.G.L. c.71 sec. 34H, 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 based on a threat to the safety of the student or to the custodial parent, or
 2. the parent has been denied visitation, or has been ordered to supervised visitation, or
 3. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
- b. The school shall place in the student's record 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,