



Anthony E. Steele II
Assistant Superintendent-Director/Principal

Blackstone Valley Regional Vocational Technical High School
65 Pleasant Street, Upton, MA 01568
P 508-529-7758 x3016
F 508-529-2403
asteel@valleytech.k12.ma.us
www.valleytech.k12.ma.us

Dr. Michael F. Fitzpatrick
Superintendent-Director

August, 2021

Dear Parents,

SUBJECT: STUDENT RECORD ACCESS

I am writing to advise you of the Massachusetts law that affects the ability and procedure for **non-custodial parents** to access student records. Records include student progress reports, report cards, results of standardized tests, notification, if requested, of absences, illness, disciplinary problems and information regarding their child's special education program (if enrolled). A written request (*Affidavit for Non-Custodial Parent Requesting Student Records*) addressed to the Principal is required.

- According to the Massachusetts General Law Chapter 71, section 34H **non-custodial parents** are eligible to obtain access to the student record unless:
 - a. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
 - b. The parent has been denied visitation or have been ordered to supervised visitation, or
 - c. 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.

Upon the Principal's receipt of the request from a **non-custodial parent** for student records, Blackstone Valley Tech must immediately notify the custodial parent (*Notification to Custodial Parent*) by registered mail by first class mail of the following:

- The student record information shall be provided to the **non-custodial parent** after (21) days, unless the custodial parent submits to the Principal documentation of a court order prohibiting contact with the child or the distribution of the information,

OR

- Documentation of a temporary or permanent order issued for the protection of the custodial parent and child from abuse by the requesting parent.

Non-custodial parents must annually renew the student access request from their child's school Principal so that they remain eligible to receive this information. Upon a subsequent request for student record information, the Principal must again notify the custodial parent, as referenced above.

The Blackstone Valley Tech School regrets the burdensome nature of this law; however, we are required to inform you of this procedure as a condition of providing the **non-custodial parents** with their child's student records, including but not limited to the annual IEP. We hope that both parents will remain involved in their child's educational placement decisions, and we look forward to assisting with the process. Please feel free to contact my office if you have any questions.

Sincerely,

Anthony E. Steele II
Assistant Superintendent-Director/Principal

**AFFIDAVIT FOR NON-CUSTODIAL PARENT
REQUESTING STUDENT RECORDS**

Per General Laws Chapter 71, Section 34H

I, _____, on oath depose and state as follows:
(please print)

1. I am the parent of _____.
(please print)
2. I understand I am eligible to obtain access to the student record according to the standards of Massachusetts General Law Chapter 71, section 34H unless:
 - a. I have been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
 - b. I have been denied visitation or have been ordered to supervised visitation, or
 - c. My 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.
3. Attached is a certified copy of an order by a Probate and Family Court judge specifically ordering that my child's student records be made available to me, according to the standards of General Laws Chapter 71, Section 34H.
4. I certify that the judgment or order remains in effect and that there is currently no temporary or permanent protective order restricting my access to

_____, custodial parent or to any child in the custodial parent's custody.
(child's name)

Signed under the pains and penalties of perjury this _____ day of _____ .

Parent's Signature: _____

Address: _____

Phone Number: _____



Anthony E. Steele II
Assistant Superintendent-Director/Principal

Blackstone Valley Regional Vocational Technical High School
65 Pleasant Street, Upton, MA 01568
P 508-529-7758 x3016
F 508-529-2403
asteel@valleytech.k12.ma.us
www.valleytech.k12.ma.us

Dr. Michael F. Fitzpatrick
Superintendent-Director

NOTIFICATION TO CUSTODIAL PARENT

Request of Non-Custodial Parent for Student Record Information

By Certified and First Class Mail

Date:

Dear:

This is to notify you that the school has received a request for information about the student or students listed below from the non-custodial parent listed below.

Student or students: _____

Non-Custodial parent: _____

The school received this request on: _____

The school is required by law to provide the non-custodial parent with this information 21 days after receipt of the request unless you provide me with either of the following:

- A court order that prohibits the requesting parent from having contact with your child or prohibits the distribution of your child's student records; or
- A temporary or permanent order issued to provide protection to you or any child in your custody from abuse by the requesting parent unless the protective order (or a subsequent order modifying the protective order) specifically allows access to your child's student records.

Sincerely,

Anthony E. Steele II
Assistant Superintendent-Director/Principal

(Form B)