

**NON-CUSTODIAL PARENTS RIGHTS**  
(General Laws Chapter 71, Section 34H)

As required by General Laws Ch. 71, Section 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The Arlington Public School district will follow the law and the attachment recommended by the Massachusetts Department of Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children (“non-custodial parents”). The implementation of this policy is intended to encourage parents to be involved in and informed about the education of their children, while protecting the rights and safety of all parties.

Checklist for Distribution of Student Records to Eligible Non-Custodial Parents

Name of Student: \_\_\_\_\_

Name of Custodial Parent: \_\_\_\_\_

Name of Requesting Parent: \_\_\_\_\_

Name of School Staff Member Verifying Information: \_\_\_\_\_

- The requesting parent submitted a written request for the records to the school principal within the past twelve months. Date of request: \_\_\_\_\_
- The initial request included a certified copy of a court order, which met the requirements of Section 34H(b).
- The initial request included an affidavit from the requesting parent, which met the requirements of Section 34H(b).
- Each school year since the initial request the requesting parent has submitted a request indicating that the parent continues to be:
  - a) Entitled to unsupervised visitation with the child: and
  - b) Eligible to receive student record information pursuant to Section 34H.  
Date(s) of annual request(s):

When the school received the records request from the non-custodial parent:

- The school immediately notified the custodial parent of the request by certified mail and by first class, mail, in both the primary language of the custodial parent and in English. The notice informed the custodial parent that information requested pursuant to Section 34H is to be provided to the requesting parent after 21 days, unless the custodial parent provides the principal with documentation of an applicable court order.

Date of notice: \_\_\_\_\_

- The school is aware that it may seek reimbursement for the cost of postage from the requesting parent.
- The eligible parent has the right of access to the entire student record.

Or

- The otherwise eligible parent's right of access to the entire student record has been specifically limited by court order.

Note limitations, if any: \_\_\_\_\_

LEGAL REF: M.G.L. 71:34H  
603 CMR 23.07 Access Procedures for Non-Custodial Parents

***Adopted:***