

Student Education Records

603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under MGL c. 71, §34D which directs that “the Board of Education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth,” and under MGL c. 71, §34F which directs that “the Board of Education shall adopt regulations relative to the retention, duplication, and storage of records under the control of School Committees, and except as otherwise required by law, may authorize the periodic destruction of any such records at reasonable times” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June, 1995. 603 CMR 23.00 is in conformity with federal and state statutes regarding maintenance of and access to student records, and are to be construed harmoniously with such statutes.

The Family Education Rights and Privacy Act (FERPA)

The Family Education Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are “eligible students.”

As parents or eligible students you have the right to inspect and review the student’s education records maintained by the school within 45 days of the day the school receives a request for access. Parents or eligible students should submit a written request to the building principal identifying the specific record(s) they wish to inspect. Principals will make notification of time and place for access. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records.

Parents or eligible students also have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still does not amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

A student record consists of the transcript and the temporary record, including all information, recording or computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on

the basis of the student's name or in a way that such a student may be individually identified, and that is kept by the Saugus Public Schools. The term as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04. The temporary record consists of all the information in the student record which is not contained in the transcript. Such information is important to the educational process and may include standardized test results, class rank, extracurricular activities, and evaluations of the student by school staff.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to the student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to state law.

(Optional) Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. Reasonable attempt to notify the parent or student of the records request will be provided.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA may be filed with the Office for Family Compliance Policy, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.

603 CMR 23.10: Notification

The Saugus Public Schools generally releases "directory information" relative to its students, as that term is defined under 603 CMR 23.07(4)(a). The following information is considered directory information which may be released to third parties without the prior consent of the eligible student or his/her parent: "a student name, address, telephone listing, date and birth place, 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."

In addition, school districts are required to provide military recruiters with the same access to secondary school students as provided to post-secondary institutions or to

prospective employers. This provision includes students' names, addresses, and telephone listings.

However, before the school releases this information it must give public notice that it releases these types of information and it must inform parents and eligible students that they have the right to request that this information not be released without prior consent. Please consider this statement as such notice. If it is your desire to request that such directory information not be released without your prior consent please contact the building principal.

Saugus School Committee Policy
Approved: _____

SC First Reading 12/10/09