

NON-CUSTODIAL PARENT FORM

MARBLEHEAD PUBLIC SCHOOLS
Administration Building – 9 Widger Road, Marblehead, MA 01945
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THIS FORM IS ONLY TO BE USED IN SITUATIONS WHERE PARENTS/GUARDIANS LIVE SEPARATELY

1. Parent(s)/Guardian(s) with Physical Custody
(Physical custody refers to the parent/guardian with whom child lives)

Name _____
(Last Name, First Name) Relationship _____

Custody: ___ Sole Legal ___ Sole Physical
___ Joint Legal ___ Joint Physical **(complete joint custodian info on right)**

Street Address _____

City, State, Zip _____

Phone: (H) _____

(C) _____

Email Address: _____

Joint Custodial Parent/Guardian Information
(Complete only if joint physical custody)

Name: _____
(Last Name, First Name) Relationship _____

Street Address _____

City, State, Zip _____

Phone: (H) _____

(C) _____

Email Address: _____

Contact lives with student ___ Receive grade mailings ___

Receive conduct mailings ___ Receive other mailings ___

Receive email ___ Contact has family portal access ___

2. **Non-Custodial Parent Information (Parent/Guardian who does not have or share physical custody of the enrolling student)**

Name _____
(Last Name, First Name) Relationship _____

Street Address _____

City, State, Zip _____

Phone: (H) _____ (C) _____

Email Address: _____

___ Non-custodial parent has the right to access notices and/or student records*

* This line shall only be checked if either custodial parent states in writing that non-custodial parent has a right to all notices/records **OR** if non-custodial parent followed process detailed on the next page, **complete with documentation.**

PROCESS IF NON-CUSTODIAL PARENT REQUESTS ACCESS TO STUDENT NOTICES/RECORDS
(Please give a copy of these instructions to both custodial and non-custodial parent/guardians)

If non-custodial parent/guardian is requesting to receive notifications and/or records for the student named on page 1, the following process must be followed **annually**:

1. In order to obtain access to the student's records, the non-custodial parent must submit a written request to the building principal.
2. Upon receipt of the request, the principal will send a reply letter to the non-custodial parent explaining the process required to grant access to notices and records.¹
3. The Principal will concurrently provide written notice by certified and first class mail, in English and the primary language of the custodial parent, informing them of the request by the non-custodial parent.²
4. If custodial parent has a legal reason (accompanied by a copy of a court order) as to why the non-custodial parent should not have access to these notices or records, the custodial parent/guardian must provide this documentation to the principal within 21 days from the date of the letter.
5. If documentation restricting the non-custodial parent's access to student notices /records is delivered to the principal within this 21 day period, principal will notify the non-custodial parent of the restricted status and provide copies of documents(s) upon request³ OR
6. If documentation restricting the non-custodial parent from receiving student notices /records does not exist or is not received within this 21 day period, the non-custodial parent has the right to notices and records of that student. The school must delete the address and telephone number of the student and custodial parent from all student records prior to delivering them to the non-custodial parent.
7. Non-custodial parents must renew their request annually to the Principal in order to have continued access to the student notices and/or records.

Please remember that a non-custodial parent/guardian is eligible to obtain access to the student's record unless:

1. The parent/guardian's access to the child is currently prohibited 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 or
2. The parent has been denied visitation or,
3. Based on a threat to the safety of the child, is currently denied legal custody of the child or
4. Is currently ordered to supervised visitation, and the threat is specifically noted in the order pertaining to custody or supervised visitation.

All of these restrictions require written documentation and/or court orders to enforce.

A copy of Marblehead Public School policy on this issue can be found at www.marbleheadschoools.org under the School Committee tab, where the online SC policy tool is available. Look under Policy JRA-R, Student Records, then Access Procedures for Non-Custodial Parents. The school should be prepared to direct parents to this site or print a copy of the policy upon request.

Ref. M.G.L. c. 71, s 34H

¹ Sample Letter# 1 available to principal

² Sample Letter #2 available to principal

³ 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 to or restricted pursuant to 603 CMR 23.07(5)(a).