

# Documents

Relating to:

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Policy  
Handbooks  
&  
Training

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# **Brockton Public Schools School Committee Policy**

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## **STUDENT RECORDS**

All Brockton School Department employees shall follow procedures established by the Superintendent of Schools to assure confidentiality of student records as mandated by the Family Educational Rights and Privacy Act of 1974, P.L. 97-380 and P.L. 103.382, Massachusetts General Laws, Chapters 66 and 71, and 603 CMR 23.00-23.12.

LEGAL REFS.:      Family Educational Rights and Privacy Act of 1974  
                         P.L. 97-380  
                         P.L. 103-382  
                         M.G.L. Chapters 66 and 71  
                         603 CMR 23.00-23.12

# Brockton Public Schools Administrative Procedures

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F. Pupil Personnel Services	No. 10
Issued by: Pupil Personnel Services	
Date: January 23, 2003	Page 1 of 4

To: Principals, Building Administrators and Housemasters

## NON-CUSTODIAL PARENTAL RIGHTS (General Laws Chapter 71, Section 34H)

As required by G.L. Ch. 71, Sec. 34H, a non-custodial parent may have access to the student records in accordance with the law and Department of Education Regulations. The school district will follow the law and the attachments 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 will hopefully encourage parents to be involved in and informed about the education of their children, while protecting the rights and safety of all parties.

### Distribution of Student Records to Eligible Non-Custodial Parents

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

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

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

Name of 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

1. Entitled to unsupervised visitation with the child; and
2. 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

1. 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: \_\_\_\_\_

2. The school is aware that it may seek reimbursement for the cost of postage from the requesting parent.
3. 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 (5) Access Procedures for Non-Custodial Parents  
School Committee Policy KBBA

Questions regarding this procedure should be addressed to the Senior Director for Pupil Personnel Services, 43 Crescent Street, Brockton, MA 02301 / (508) 894-4266.
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**SAMPLE AFFIDAVIT FOR NON-CUSTODIAL PARENT REQUESTING  
STUDENT RECORDS PER GENERAL LAWS CHAPTER 71, SECTION 34H**

I, \_\_\_\_\_, on oath depose and state as follows:  
*Name of non-custodial parent*

1. I am the parent of \_\_\_\_\_  
*Name of student*
2. Attached is a certified copy of the court judgment or order relative to the custody of my child, which meets the standards of General Laws Chapter 71; Section 34H.

**OR**

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 \_\_\_\_\_, the custodial parent  
*Name of student*  
or to any child in the custodial parent's custody.

**Signed under the pains and penalties of perjury this day \_\_\_\_\_ of \_\_\_\_\_.**  
*Month Year*

\_\_\_\_\_  
Parent's signature

**SAMPLE NOTICE TO THE CUSTODIAL PARENT**

**NON-CUSTODIAL PARENT HAS REQUESTED STUDENT RECORDS  
PER GENERAL LAWS CHAPTER 71, SECTION 34H**

NOTE: The statute requires schools to send notice to the custodial parent by certified and first class mail, in both the primary language of the custodial parent and in English.

Date \_\_\_\_\_

*Name of custodial parent*  
*Address of custodial parent*

Dear \_\_\_\_\_:  
*Name of custodial parent*

Pursuant to Massachusetts General Laws Chapter 71, Section 34H, a law regarding student records access for non-custodial parents.

\_\_\_\_\_  
Name of non-custodial parent

has requested the student records of \_\_\_\_\_.  
*Name of child*

This request was made on \_\_\_\_\_.  
*Date of non-custodial parent's request*

In compliance with Section 34H (c) and (d), I am providing you with written notice of this request.

The law requires the school to provide the non-custodial parent with the student record information after 21 days, unless before that date you provide me with a copy of either of the following documents:

- 1) a court order that prohibits the non-custodial parent from having contact with your child
- 2) a court order that prohibits the non-custodial parent from getting access to the student records
- 3) a temporary or permanent order issued to provide protection to you or to any child in your custody from abuse by the requesting parent, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to your child's student records.

Please contact my office if you have any questions. Thank you very much.

Sincerely,

*Principal, Building Administrator or Designee*



Brockton Public > Brockton Public Schools Internet Safety Center

[Send To Printer](#)

## The Brockton Public Schools Internet Safety Center

Welcome to the **BPS Internet Safety Center**. We want to assure you that each BPS student's safety and well-being is of prime concern to the BPS.

The district AUP (Acceptable Use Policy) is currently undergoing updates and modifications to meet the challenges of our new cyberspace-based system of communication. In any given moment, our students and staff can be communicating via electronic systems and devices that were only a dream or a Star-Trek-type gadget a few short years ago:

[Instant Messaging](#)   [Texting](#)   [Email](#)   [Blogs](#)   [Chat Room](#)   [MySpace](#)

[Camera phones](#)   [Camcorder](#)   [iPhone](#)   [Virtual World](#)   [Cyber Bullying](#)

With the advances in technology and communication, comes new challenges to the safety of our students. Many of them, young, naive and trusting, are giving out personal information that can and is being used to hurt them. Our young people are becoming victims of cyberstalkers, Internet predators, peer predators and bullying. Bullying has taken on a whole new genre in the cyberspace realm. Cyber Bullying is still bullying. Only with cyberbullying, often times the bully is unknown or is posing as the victim himself. For Cyberbullying resources, we are referring you to [MARC](#) - the Massachusetts Aggression Reduction Center at Bridgewater State College. There you will find a plethora of free web resources on Bullying and Cyberbullying. Additional Internet Safety Resources can be found by clicking [HERE](#).

This web site is designed to inform staff of the dangers of the Internet and of Cyberspace and to provide resources for you and your students to safely peruse the information super, super highway. Click on any of the links on this page for more, in-depth information and resources.

### DEFINITIONS

**Instant Messaging** (often abbreviated simply to IM) offers real-time communication and allows easy collaboration, which might be considered more akin to genuine conversation than email's "letter" format. In contrast to [e-mail](#), the parties know whether the peer is available. Most systems allow the user to set an *online status* or *away message* so peers are notified when the user is available, busy, or away from the computer. On the other hand, people are not forced to reply immediately to incoming messages. For this reason, some people consider communication via instant messaging to be less intrusive than communication via [phone](#). However, some systems allow the sending of messages to people not currently logged on (*offline messages*), thus removing much of the difference between Instant Messaging and [email](#).

Instant Messaging allows instantaneous communication between a number of parties simultaneously, by transmitting information quickly and efficiently, featuring immediate [receipt](#) of acknowledgement or reply. In certain cases Instant Messaging involves additional features, which make it even more popular, i.e. to see the other party, e.g. by using [web-cams](#), or to talk directly for free over the [Internet](#).

It is possible to save a conversation for later reference. Instant messages are typically logged in a local message history which closes the gap to the persistent nature of e-mails and facilitates quick exchange of information like URLs or document snippets (which can be unwieldy when communicated via telephone).

**Text messaging**, or **texting** is the common term for the sending of "short" (160 characters or fewer) text messages from [mobile phones](#) using the [Short Message Service](#) (SMS). It is available on most digital mobile phones and some [personal digital assistants](#) with on-board wireless telecommunications. The individual messages which are sent are called *text messages*, or in the more colloquial [text speak](#) texts.



SMS gateways exist to connect mobile SMS services with instant message (IM) services, the world wide web, desktop computers, and even landline telephones (through speech synthesis). Devices which can connect to mobile phones and PDAs through protocols such as Bluetooth can also sometimes use that link to send SMS messages over the wireless network. SMS arose as part of the widely deployed GSM protocol, but is now also available with non-GSM systems.

The most common application of the service is person-to-person messaging, but text messages are also often used to interact with automated systems, such as ordering products and services for mobile phones, or participating in contests. There are some services available on the Internet that allow users to send text messages free of direct charge to the sender, although users of all North American networks have to pay to receive any SMS text message (T-Mobile, AT&T, Sprint, Verizon).

**Electronic mail**, often abbreviated to *e-mail*, *email*, or simply *mail*, is a store-and-forward method of composing, sending, receiving and storing messages over electronic communication systems. The term "e-mail" (as a noun or verb) applies both to the Internet e-mail system based on the Simple Mail Transfer Protocol (SMTP) and to X.400 systems, and to intranet systems allowing users within one organization to e-mail each other. Intranets may use the Internet protocols or X.400 protocols for internal e-mail service supporting workgroup collaboration. E-mail is often used to deliver bulk unsolicited messages, or "spam", but filter programs exist which can automatically delete some or most of these, depending on the situation.

A **blog** (an abridgment of the term **web log**) is a website, usually maintained by an individual, with regular entries of commentary, descriptions of events, or other material such as graphics or video. Entries are commonly displayed in reverse chronological order. "Blog" can also be used as a verb, meaning *to maintain or add content to a blog*.

Many blogs provide commentary or news on a particular subject; others function as more personal online diaries. A typical blog combines text, images, and links to other blogs, web pages, and other media related to its topic. The ability for readers to leave comments in an interactive format is an important part of many blogs. Most blogs are primarily textual, although some focus on art (artlog), photographs (photoblog), sketchblog, videos (vlog), music (MP3 blog), audio (podcasting) are part of a wider network of social media. Micro-blogging is another type of blogging which consists of blogs with very short posts. As of December 2007, blog search engine Technorati was tracking more than 112 million blogs.<sup>[1]</sup> With the advent of video blogging, the word *blog* has taken on an even looser meaning of any bit of media wherein the subject expresses his opinion or simply talks about something.

A **CHAT ROOM**, or **chatroom**, is a term used primarily by mass media to describe any form of synchronous conferencing, occasionally even asynchronous conferencing. The term can thus mean any technology ranging from real-time online chat over instant messaging and online forums to fully immersive graphical social environments.

#### **Text-based chat**

Online chat is a way of communicating by sending text messages to people in the same chat-room in real-time. Some chat rooms such as Yahoo! use both text and voice simultaneously. The oldest form of true chat rooms are the text-based variety. Talkomatic, developed on the PLATO System around 1974, has a strong claim to have been the prototype of the text-only chat room. The most popular of this kind is Internet Relay Chat (IRC). The popularity of these kinds of chat rooms has waned over the years, and IRC's popularity has rapidly given way to instant messaging. Also a notable number of people were introduced to chat rooms from AOL and web chat sites.

There are also **graphical user interface (GUI) text-based chat rooms** which allow users to select an identifying icon and modify the look of their chat environment.

Visual chat rooms (Active Worlds, Habbo Hotel, There, etc) add graphics to the chat experience, in either 2D or 3D (employing virtual reality technology). These are characterized by using a graphic representation of the user (avatar) that can be moved about a graphic background or in a graphic environment. These virtual worlds are capable of incorporating elements such as games (in particular massively multiplayer online games) and educational material most often developed by individual site owners, who in general are simply more advanced users of the systems. The most popular environments also allow users to create or *build* their own spaces.

Some visual chat rooms also incorporate audio and video communications, so that users may actually see and hear each other. However, some find these types of environments cumbersome to use and actually an impediment to chatting.

### **Chat room activities**

The primary use of a chat room is to share information via text with a group of other users. New technology has enabled the use of file sharing and webcams to be included in some programs and almost all Internet chat or messaging services allow users to display or send to each other photos of themselves.

Some people who visit chat rooms use them as a place to experience online sex, also known as cybersex or computer love. While not physically able to see their partner, cyber-ers apparently get stimulation by reading x-rated quotes. While many in the media focus on this aspect of chat rooms as it certainly boosts their ratings, it is by no means the only thing chat rooms are used for. While many people engage in "cybersex" for many reasons, it is also true that sexual predators use cybersex conversations as a means of identifying potential victims.

Games are also often played in chat rooms. Historic examples are initgame or Hunt the Wumpus on IRC.

### **Rules of behavior**

Chat rooms usually have stringent rules that they require users to follow in order to maintain integrity and safety for their users. Particularly in rooms for children, rules usually do not allow users to use offensive language, or to promote hate mail, violence and other negative issues. Also chat rooms often do not allow advertising in their rooms or flooding, which is continually filling the screen with repetitive text. Typing with caps lock on is usually considered shouting and is discouraged. Chat rooms usually have a list of rules for users to obey when they chat online though they are not usually kept.

Sometimes chat room venues are moderated either by limiting who is allowed to speak (not common), or by having moderation volunteers patrol the venue watching for disruptive or otherwise undesirable behaviour.

Yet, most commonly used chat rooms are not moderated and users may type what they personally choose to send.

### **Dangers**

As chat rooms are often frequented by children, they can be an avenue for pedophiles to initiate contact with potential victims. Predators will often pose as a child themselves, and attempt to lure children into a face-to-face meeting.<sup>[1]</sup>

A **virtual world** is a computer-based simulated environment intended for its users to inhabit and interact via avatars. This habitation usually is represented in the form of two or three-dimensional graphical representations of humanoids (or other graphical or text-based avatars). Most, but not all, virtual worlds allow for multiple users.

The world being computer-simulated typically appears similar to the real world, with real world rules such as gravity, topography, locomotion, real-time actions, and communication. Communication has, until recently, been in the form of text, but now real-time voice communication using VoIP is available. This type of virtual world is now most common in massively multiplayer online games (Active Worlds, ViOS, There, Second Life--although not games, per se, but more like virtual environments that can include gaming--Entropia Universe, The Sims Online, Red Light Center, Kaneva), particularly massively multiplayer online role-playing games such as EverQuest, Ultima Online, Lineage, World of Warcraft, RuneScape, AdventureQuest, or Guild Wars.

**MySpace** is a social networking website offering an interactive, user-submitted network of friends, personal profiles, blogs, groups, photos, music and videos internationally. Its headquarters are in Beverly Hills, California, USA,<sup>[1]</sup> where it shares an office building with its immediate owner, Fox Interactive Media; which is owned by News Corporation, which has its headquarters in New York City.

According to Alexa Internet, MySpace is currently the world's sixth most popular website,<sup>[2]</sup> and the third most popular website in the United States,<sup>[2]</sup> though it has topped the chart on various weeks.<sup>[3]</sup> The service gradually gained more popularity than similar websites to achieve nearly 80% of visits to online social networking websites in 2006.<sup>[3]</sup> Today its traffic is similar to that of Facebook, a competing social network.<sup>[4]</sup>

The company employs 300 staff<sup>[5]</sup> and does not disclose revenues or profits separately from News Corporation. The 100 millionth account was created on August 9, 2006<sup>[6]</sup> in the Netherlands<sup>[7]</sup> and a news story claimed 106 million accounts on September 8, 2006,<sup>[8]</sup> and the site reportedly attracts 230,000 new registrations per day. As of January 2007, there are over 200 million accounts.

The **camera phone** Over the years there have been many video phones and cameras that include communications technologies. None of them had focused on the integration with the wireless Internet which would allow instant media sharing with anyone anywhere. Such experiments include, for example, a device that was known as the Apple Videophone/PDA in 1995.<sup>[4]</sup> There were several digital cameras with cellular phone transmission capability shown by companies such as Kodak, Olympus in the early 90s<sup>[5]</sup> There was also a digital camera with cellular phone designed by Shosaku Kawashima of Canon in Japan in May 1997.<sup>[6]</sup>

Camera phones share pictures instantly and automatically via a sharing infrastructure integrated with the carrier network. They do not use connecting cables or removable media to transfer pictures. Personal computer intervention is not necessary. Some camera phones use CMOS image sensors, due largely to reduced power consumption compared to CCD type cameras, which are also used. The lower power consumption prevents the camera from quickly depleting the phone's battery. Images are usually saved in the JPEG file format, and the wireless infrastructure manages the sharing. The sharing infrastructure is critical and explains the early successes of J-Phone and DoCoMo in Japan as well as Sprint and other carriers in the United States and the widespread success worldwide.

Major manufacturers include Sharp, Nokia, Sanyo, Samsung, Motorola, Siemens, Sony Ericsson, and LG Electronics. The resolution is typically in the megapixel range.

### **Social impact**

While camera phones have been found useful by tourists and for other common civilian purposes, as they are cheap, convenient, and portable; they have also posed controversy, as they enable surreptitious photography. A user may pretend to be simply talking on the phone or browsing the internet, drawing no suspicion, and be able to photograph a person or place illegally or against that person's wishes.

As a network-connected device, megapixel camera phones are playing significant roles in crime prevention, journalism and business applications as well as individual uses. They are also prone to abuse such as voyeurism, invasion of privacy, and copyright infringement. Because they can be used to share media almost immediately, they are a potent personal content creation tool. On January 17th, 2007, New York City Mayor Michael Bloomberg announced a plan to encourage people to use their camera-phones to capture crimes happening in progress or dangerous situations and send them to emergency responders. Through the program, people will be able to send their images or video directly to 911.<sup>[12]</sup>

Enforcing bans on camera phones has proven nearly impossible. They are small and numerous and their use is easy to hide or disguise, making it hard for law enforcement and security personnel to detect or stop use.

From time to time, organizations and places have prohibited or restricted the use of camera phones and other cameras because of the privacy, security, and copyright issues they pose. Such places include the Pentagon, federal and state courts,<sup>[13]</sup> museums, theaters, and local fitness clubs. Schools have banned them over the concern that they could be used to take images of notes that can be used in order to cheat on exams. One country, Saudi Arabia, in April 2004, banned the sale of camera phones nationwide for a time before reallowing their sale in December 2004 (although pilgrims on the Haji were allowed to bring in camera phones). In South Korea and Japan, all camera phones sold in the country must make a clearly audible sound whenever a picture is taken: These laws are intended to reduce the number of up-skirt photos taken. In Singapore, camera phones are banned at companies or facilities that have an association with national security. In Europe, some BDSM conventions and play parties ban cellphones altogether to prevent camera phone abuse.

There is the occasional anecdote of camera phones linked to industrial espionage and the activities of paparazzi, as well as some hacking into wireless operators' network.

Camera phones have also been used to discreetly take photographs in museums, performance halls, and other places where photography is prohibited. However, as sharing is automatic and instantaneous, even if the action is discovered, it is too late, as the image is already out of reach, unlike a photo taken by a digital camera that only stores images locally for later transfer.

The newer camera phones also support video-clips and sometimes peer-to-peer video calls. Camera phone video and photographs taken in the immediate aftermath of the 2005 London bombings were featured worldwide. CNN executive Jonathan Klein predicts camera phone footage will be increasingly used by news organizations. The ability to immediately share media from anywhere at anytime makes every citizen a potential real-time news-reporter.

Camera phones with video capability have become even more controversial<sup>[citation needed]</sup> than those that can only take stationary photos. They have opened up a new wave of illegal or otherwise questionable discreet videotaping.<sup>[citation needed]</sup> For example, on December 30, 2006, the execution of former Iraqi dictator Saddam Hussein was filmed by a video camera phone, and made widely available on the Internet. A guard was arrested a few days later.<sup>[14]</sup>

### **Laws**

Camera phones have brought to light the issue of laws relating to public and private photography. While in general photography is unlikely to pose any legal dilemmas, care should be taken before photographing individuals or private property where permission has not been given.

A **camcorder** is a portable consumer electronics device for recording video and audio using a built-in recorder unit. The camcorder contains both a video camera and a video recorder in one unit, hence its compound name. This compares to previous technology where an acquisition and recording devices would be separate.

The earliest camcorders, developed by companies such as JVC, Sony, and Kodak, used analog videotape. Since the 1990s recording onto digital tape has become the norm. Starting from early 2000s tape as storage media is being gradually replaced with tape-free solutions like optical disks, hard disk drives and solid-state memory.

All tape-based camcorders have removable media in form of video cassettes. Solid-state camcorders can have either removable media in form of memory cards, or built-in memory, or both. HDD-based camcorders usually have non-removable media in form of a hard disk drive.

Camcorders that do not use magnetic tape are often called tapeless camcorders. Camcorders that use two different types of media, like built-in HDD and memory card, are often called hybrid camcorders.

The **iPhone** is an Internet-enabled multimedia mobile phone designed and marketed by Apple Inc.. It has a multi-touch screen with virtual keyboard and buttons. The iPhone's functions include those of a camera phone, portable media player (iPod), in addition to text messaging and visual voicemail. It also offers Internet services including e-mail, web browsing, and local Wi-Fi connectivity. It is a quad-band mobile phone that uses the GSM standard, and hence has international capability. It supports the EDGE data technology.

Apple announced the iPhone on January 9, 2007.<sup>[16]</sup> The announcement was preceded by rumors and speculations that circulated for several months.<sup>[17]</sup> The iPhone was initially introduced in the United States on June 29, 2007 and is in the process of being introduced worldwide. It was named Time magazine's Invention of the Year in 2007.<sup>[18]</sup>



City of Brockton

## BROCKTON PUBLIC SCHOOLS

Kathleen A. Smith, JD ♦ Superintendent of Schools

**Dr. Salvatore Terrasi, Executive Director**  
Office of Pupil Personnel Services  
Phone (508) 894-4266 Fax (508) 894-4268  
salvatoreterrasi@bpsma.org

AGENDA FOR

August 27, 2014

TRAINING OF

DISTRICT ADMINISTRATORS

Principals:

The directions to access the Pupil Personnel Wiki page on the Brockton Intranet are shown below. Attached is a screen shot of what is included on the page.

Once you access the Wiki page you will be able to view and download various BPS policies and procedures related to Civil Rights, as well as the DESE Restraint Form [electronic and pdf versions] and OCR Complaint Procedures. You will find four (4) underlined hyperlinks at the top of each category. Please click on the hyperlink to access the information.

**Please share this information with your staff during the first staff meeting of the year making sure the list below is included on your agenda with the request that all staff members review the information. Send a copy of your first agenda and sign in sheet to the Pupil Personnel office to acknowledge this has been done.**

Executive Director Pupil Personnel Dr. Salvatore Terrasi  
Directions to access Pupil Personnel Wiki page on Brockton Intranet  
BPS Bullying and Cyber-bullying Policy  
FERPA  
BPS Civil Rights Discrimination Grievance Procedure  
BPS Physical Restraint Policy  
DESE Physical Restraint Report Form  
BPS Sexual Harassment Policy – Staff  
BPS Sexual Harassment Policy – Student

### **DIRECTIONS TO ACCESS PUPIL PERSONNEL WIKI**

GO TO: <http://intranet.bpsma.org/>

CLICK ON: BPS WIKISPACES

SIGN IN: Drop down menu: click Brockton Staff  
Log in with your usual username and password to access the site.

ON LEFT SIDE OF SCREEN BELOW ALL PAGES: DOUBLE CLICK ON PUPIL PERSONNEL

WEB PAGE WILL OPEN

Crosby Administration Building ♦ 43 Crescent Street ♦ Brockton, Massachusetts 02301-4376

[www.brocktonpublicschools.com](http://www.brocktonpublicschools.com)

*Learn. Teach. Inspire. Achieve.*



# Pupil Personnel

Welcome to the Pupil Personnel WIKI

Here you will find important policy documents and other resources.

Simply click on the underlined link to take you to the desired page where you can read or download content. Each WIKI page will also contain a link to return you to this home page, from which you can access the rest of the WIKI site.

## Policies

Bullying & Cyber-bullying  
Child Abuse - Reporting 51A  
Physical Restraint  
Pregnant Students  
Sexual Harassment - Staff  
Sexual Harassment - Students  
Sexual Assault Disclosure by a Child  
Student Absences and Excuses  
Student Rights & Responsibilities

## Forms

Bullying Investigation Form  
Bullying Incident Report of Potential Bullying  
Physical Restraint Form. pdf  
Physical Restraint Form.docx  
51A Form  
Confidential Report Form  
Crisis Management Team Form

## Procedures

Attendance  
Civil Rights Discrimination Grievance  
Due Process & Fairness in Student Disclosure  
Physical Restraint  
Sexual Harassment Complaints Reported by Student

## Informational Documents

BHPS Framework  
Child Abuse - Reporting 51A  
FERPA  
FERPA 2  
new CHINS law-long memo  
new CHINS law-quick summary  
new CHINS portion of statute referring to status offenses  
Non-Custodial Parental Rights  
Physical Restraint  
Transgender  
Update to Bullying Law to Include Staff  
Student Discipline in MA 2014  
Act Relative to Students Access to Ed Services & Exclusion from School  
Session Law: Chapter 222 Suspension  
Chapter 222 Powerpoint "NEW DISCIPLINE REGULATIONS"



*City of Brockton*

## **BROCKTON PUBLIC SCHOOLS**

Kathleen A. Smith, JD ♦ Superintendent of Schools

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**Dr. Salvatore Terrasi, Executive Director**  
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[salvatoreterrasi@bpsma.org](mailto:salvatoreterrasi@bpsma.org)

### **DIRECTIONS TO ACCESS PUPIL PERSONNEL WIKI**

**GO TO:**        <http://intranet.bpsma.org/>

**CLICK ON:** BPS WIKISPACES

**SIGN IN:** Drop down menu: click Brockton Staff  
Log in with your usual username and password to access the site.

**ON LEFT SIDE OF SCREEN: DOUBLE CLICK ON PUPIL PERSONNEL**

**WEB PAGE WILL OPEN**

Here you will be able to download various BPS policies and procedures related to Civil Rights, as well as the DESE Restraint Form [electronic and pdf versions] and OCR Complaint Procedures.





**ED.gov**ADMINISTRATORS  
TRAINING

Print

Close  
Window**Family Educational Rights and Privacy Act (FERPA)**Family Policy Compliance Office (FPCO) Home

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) 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."


- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. 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. Schools may charge a fee for copies.
- Parents or eligible students 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 decides not to 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.
- 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 (34 CFR § 99.31):
  - 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 a 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 specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may call 1-800-437-0833.

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

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## Education Laws and Regulations

### 603 CMR 23.00

#### Student Records

##### Section:

- 23.01: Application of Rights
  - 23.02: Definition of Terms
  - 23.03: Collection of Data: Limitations and Requirements
  - 23.04: Personal Files of School Employees
  - 23.05: Privacy and Security of Student Records
  - 23.06: Destruction of Student Records
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Most Recently Amended by the Board of Education: August 15, 2006

#### 23.01: Application of Rights

603 CMR 23.00 is promulgated to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of student records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

(1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student's parent.

(2) If a student is from 14 through 17 years of age or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.

(3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school principal or superintendent of schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c. 71, section 34E, the parent of a student may inspect the student record regardless of the student's age.

(4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

#### 23.02: Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

**Access** shall mean inspection or copying of a student record, in whole or in part.

**Authorized school personnel** shall consist of three groups:

(a) School administrators, teachers, counselors and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching counseling, and/or diagnostic capacity. Any such personnel who are not employed directly by the school committee shall have access only to the student record information that is required for them to perform their duties.

(b) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the school committee or are employed under a school committee service contract, and whose duties require them to have access to

student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.

(c) The Evaluation Team which evaluates a student.

**Eligible student** shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the school committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

**Evaluation Team** shall mean the team which evaluates school-age children pursuant to M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

**Parent** shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non-custodial parent for purposes of M.G.L. c. 71, § 34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

**Release** shall mean the oral or written disclosure, in whole or in part, of information in a student record.

**School-age child with special needs** shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

**School committee** shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c. 71B (Chapter 766) approved private school.

**Student** shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a school committee maintains information relative only to that person's employment by the school committee.

**The student record** shall consist of the transcript and the temporary record, including all information recording and 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 student may be individually identified, and that is kept by the public schools of the Commonwealth. 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** shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

**Third party** shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

**The transcript** shall contain administrative records that constitute the minimum data necessary to reflect the student's educational progress and to operate the educational system. These data shall be limited to the name, address, and phone number of the student; his/ her birthdate; name, address, and phone number of the parent or guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

### 23.03: Collection of Data: Limitations and Requirements

All information and data contained in or added to the student record shall be limited to information relevant to the educational needs of the student. Information and data added to the temporary record shall include the name, signature, and position of the person who is the source of the information, and the date of entry into the record. Standardized group test results that are added to the temporary record need only include the name of the test and/or publisher, and date of testing.

### 23.04: Personal Files of School Employees

The term student record does not include notes, memory aids and other similar information that is maintained in the personal files of a school employee and is not accessible or revealed to authorized school personnel or any third party. Such information may be shared with the student, parent or a temporary substitute of the maker of the record, but if it is released to authorized school personnel it becomes part of the student record subject to all the provisions of 603 CMR 23.00.

### 23.05: Privacy and Security of Student Records

(1) The school principal or his/her designee shall be responsible for the privacy and security of all student records maintained in the school.

(2) The superintendent of schools or his/her designee shall be responsible for the privacy and security of all student records that are not under the supervision of a school principal, for example, former students' transcripts stored in the school department's central administrative offices or student records of school-age children with special needs who have not been enrolled in a public school.

(3) The principal and superintendent of schools shall insure that student records under their supervision are kept physically secure, that authorized school personnel are informed of the provisions of 603 CMR 23.00 and M.G.L. c. 71, § 34H and are educated as to the importance of information privacy and confidentiality; and that any computerized systems employed are electronically secure.

### 23.06: Destruction of Student Records

(1) The student's transcript shall be maintained by the school department and may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

(2) During the time a student is enrolled in a school, the principal or his/her designee shall periodically review and destroy misleading, outdated, or irrelevant information contained in the temporary record provided that the eligible student and his/her parent are notified in writing and are given opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record.

(3) The temporary record of any student enrolled on or after the effective date of 603 CMR 23.00 shall be destroyed no later than seven years after the student transfers, graduates, or withdraws from the school system. Written notice to the eligible student and his/her parent of the approximate date of destruction of the record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. Such notice shall be in addition to the routine information letter required by 603 CMR 23.10.

(4) In accordance with M.G.L. c. 71, section 87, the score of any group intelligence test administered to a student enrolled in a public school shall be removed from the record of said student at the end of the school year in which such test was so administered.

### 23.07: Access to Student Records

(1) **Log of Access.** A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

(a) authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;

(b) administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and

(c) school nurses who inspect the student health record.

(2) **Access of Eligible Students and Parents.** The eligible student or the parent, subject to the provisions of 603 CMR 23.07 (5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available.

(a) Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records.

(b) Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.

(c) The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.

(d) The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

(3) **Access of Authorized School Personnel.** Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the eligible student or parent shall not be necessary.

(4) **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 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 he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

(a) 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.

(b) Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.

(c) A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.

(d) Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.

(e) A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c. 71, section 37L and M.G.L. c. 119, section 51A.

(f) Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of the such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.

(g) Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(h) School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.

(5) Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, § 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 or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student 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, or
4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

(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, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).

(e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

(f) Upon receipt of a court order that prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

### **23.08: Amending the Student Record**

(1) The eligible student or the parent shall have the right to add information, comments, data, or any other relevant written material to the student record.

(2) The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:

(a) If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either student or parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.

(b) The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the student or parent, the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

### **23.09: Appeals**

(1) In the event that any decision of a principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent, they shall have the right of appeal to the superintendent of schools. Request for such appeal shall be in writing to the superintendent of schools.

(2) The superintendent of schools or his/her designee shall within two weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, the superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

(3) In the event that the decision of the superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Request for such appeal shall be in writing to the chairperson of the school committee.

(4) The school committee shall within four weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

(a) School officials shall have the burden of proof on issues presented by the appellant.

(b) The appellant shall have the right to be represented by an advocate of his/her choosing, to cross-examine witnesses, to present evidence, to make a tape or other recording of the proceedings, and to receive a written decision within two weeks after the hearing.

(c) If the appeal concerns statements by an employee of the school committee, such person(s) shall have the right to be present and to have an advocate of his/her own choosing.

(5) Nothing in 603 CMR 23.00 shall abridge or limit any right of an eligible student or parent to seek enforcement of 603 CMR 23.00 or the statutes regarding student records, in any court or administrative agency of competent jurisdiction.

### **23.10: Notification**

(1) At least once during every school year, the school shall publish and distribute to students and their parents



(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, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).

(e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

(f) Upon receipt of a court order that prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

### **23.08: Amending the Student Record**

(1) The eligible student or the parent shall have the right to add information, comments, data, or any other relevant written material to the student record.

(2) The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:

(a) If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either student or parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.

(b) The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the student or parent, the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

### **23.09: Appeals**

(1) In the event that any decision of a principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent, they shall have the right of appeal to the superintendent of schools. Request for such appeal shall be in writing to the superintendent of schools.

(2) The superintendent of schools or his/her designee shall within two weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, the superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

(3) In the event that the decision of the superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Request for such appeal shall be in writing to the chairperson of the school committee.

(4) The school committee shall within four weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

(a) School officials shall have the burden of proof on issues presented by the appellant.

(b) The appellant shall have the right to be represented by an advocate of his/her choosing, to cross-examine witnesses, to present evidence, to make a tape or other recording of the proceedings, and to receive a written decision within two weeks after the hearing.

(c) If the appeal concerns statements by an employee of the school committee, such person(s) shall have the right to be present and to have an advocate of his/her own choosing.

(5) Nothing in 603 CMR 23.00 shall abridge or limit any right of an eligible student or parent to seek enforcement of 603 CMR 23.00 or the statutes regarding student records, in any court or administrative agency of competent jurisdiction.

### **23.10: Notification**

(1) At least once during every school year, the school shall publish and distribute to students and their parents

in their primary language a routine information letter informing them of the following:

- (a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- (b) The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

(2) In those school systems required under M.G.L. c. 71A to conduct a bilingual program, all forms, regulations, or other documents regarding 603 CMR 23.00 that a parent receives or is required to receive shall be in the language spoken in the home of the student, provided that it is a language for which the school system is required to provide a bilingual program.

#### **23.11: Monitoring**

The Department of Elementary and Secondary Education may, pursuant to a request by an eligible student or parent or on its own initiative, conduct reviews to insure compliance with 603 CMR 23.00. The school committee and the specific school(s) involved shall cooperate to the fullest extent with such review.

#### **23.12: Severance Clause**

The provisions of 603 CMR 23.00 are severable and should any section be found upon judicial review to exceed the authority of the State Board of Education, the remaining sections shall not be affected.

#### **Regulatory Authority:**

603 CMR 23.00: M.G.L. c. 71, 34D, 34E.

last updated: September 18, 2006

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#### **Disclaimer:**

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*Massachusetts Department of  
Elementary & Secondary Education*

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# **Brockton Public Schools**



## **Elementary School Student/Parent Handbook**

**2014-2015**

**[www.brocktonpublicschools.com](http://www.brocktonpublicschools.com)**

## **STUDENT RECORD REGULATIONS**

A student's record is any information that is kept about the student in school (examples: grades, test scores, attendance). It is made up of the "transcript" (name, address, courses taken, credits, and grades) and the "temporary record" (progress reports, test scores, class rank, extracurricular activities, and any other relevant education information).

For students 14 years old or older, the rights below belong to the students and their parents or guardian. For students 18 years old or older, the rights below belong to the students alone if they request in writing that only they, and not their parents or guardians, should have these rights.

For students under 14 the rights below belong only to their parents or guardians.

- a. Seeing a student's records - Parents or guardians have the right to see and have copies made of all materials in the record within two weekdays of the request. The school may not charge more than the cost of the copies. As required by M.G.L. Ch. 71, Sec. 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The school district will follow the law and the attachments recommended by the MA 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 will hopefully encourage parents to be involved in and informed about the education of their children, while protecting the rights and safety of all parties.
- b. Privacy of a student's records - Certified staff members who work directly with a student may see a student's records when it is necessary to perform their duties. With very few exceptions, no one else may see these records without the written permission of a student/parent or guardian.
- c. Destroying a student's records - The school system must keep a student's transcript for at least 60 years after the student leaves the school system. Temporary records must be destroyed within five years after the student leaves the system. Before any records are destroyed, the student/parent or guardian must be given notice and an opportunity to get a copy.
- d. Amending a Student's Record and Appealing it - A student/parent or guardian may add any relevant written material to the student's record. If there is information in the record that the student/parent or guardian feels is inaccurate, misleading, or irrelevant and the student wants it removed, the student may ask the principal to remove it. If the request is denied, or if the student has any other objections to the school records, there is an appeals process. The Pupil Personnel Office will supply information about the appeals process.
- e. Notice is given that, under Massachusetts law, Brockton schools will allow access to student records to authorized school personnel of the school to which a student seeks or intends to transfer. (603 CMR 23.00)

## **SPECIAL EDUCATION STUDENT RECORDS POLICY**

State regulations have been adopted regarding the retention and destruction of student records, including special education records. It is the policy of the Brockton Public Schools to comply with all state and federal statutes and regulations regarding student records. Special education records are considered by state regulation to be part of a student's temporary record. The temporary record contains the majority of the information maintained by the school about the student. The information may include such things as standardized test results, class rank, Individualized Educational Programs (IEP's), student progress reports, assessment/evaluation reports, extracurricular activities, and comments by teachers, counselors and other school staff. By state regulation, the temporary record must be kept by the school district for a period not exceeding seven (7) years after the student graduates, transfers or withdraws from the district.

Before the records are destroyed, the parent and student will be notified and have an opportunity to receive a copy of any information before its destruction.

**BROCKTON PUBLIC SCHOOLS**  
**Homework Policy**

Homework is defined as written or non-written tasks assigned by a teacher to be completed outside the classroom. These assignments should complement classwork and be relevant to the curriculum. Homework is a natural extension of the school day and an important part of a child’s educational experience. It encourages self-discipline, pride in one’s work, positive self-esteem, and an interest in learning. Homework reinforces the Brockton home/school connection. Well-implemented homework activities will improve the learning process, aid in the mastery of skills, stimulate interest, and assist students to become lifelong learners.

Homework assignments may range from independent student work to group projects. Assignments should increase in complexity with the maturity of the students. The time to be devoted to homework each day should be consistent for each school at each grade, with the time requirement increasing by grade level. Homework should begin with a few minutes in kindergarten to a maximum of 75 minutes per day, four days a week, in Grade 5. At the secondary level, the complexity of assignments and the time required to accomplish them will increase again, to a maximum of two hours per day in Grades 6, 7 and 8.

Assignments should take into consideration the variables among students such as differences in health, ability, and educational resources at home. Outside resources needed to complete homework assignments should, for the most part, be limited to those available in most homes, school libraries, or the public libraries, and should be required only after students have had instruction in the use of such materials. Homework in the Brockton Public Schools will not be used as a form of punishment under any circumstances. Pleasure reading is a strong component of academic success and should be encouraged above and beyond regular homework assignments.

<b>GRADE</b>	<b>EXPECTED RANGES FOR HOMEWORK</b>	
<b>Pre-K &amp;K</b>	Oral language activities	
	Shared reading	2-3 times a week
<b>1</b>	15-20 minutes a day	2-4 times a week
<b>2</b>	15-30 minutes a day	4 times a week
<b>3</b>	30-45 minutes a day	4 times a week
<b>4</b>	30-45 minutes a day	4 times a week
<b>5</b>	45-75 minutes a day	4 times a week

**Teacher Responsibilities for Homework**

- Inform parents and seek their support of expectations for homework at the start of each school year.
- Distribute the homework policies and procedures and collect the parent’s signature pages.
- Provide for students’ individual differences by varying homework assignments to acknowledge varied learning styles.
- Establish guidelines for the assessment of homework appropriate to each assignment.
- Give clear, concise directions, allowing time for students’ questions.
- Review the progress of long-term projects periodically.
- Provide adequate time for students to prepare for tests.
- Collect and record all homework assignments.
- Contact parents if assignments are not completed.

# **Brockton Public Schools**



## **Middle School Student/Parent Handbook**

**2014-2015**

[www.brocktonpublicschools.com](http://www.brocktonpublicschools.com)

## STUDENT RECORD REGULATIONS

A student's record is any information that is kept about the student in school (examples: grades, test scores, attendance). It is important for parents to keep the school apprised of any change in their student's information, whether it be address, phone number, etc ... The student record is made up of the "transcript" (name, address, courses taken, credits, and grades) and the "temporary record" (progress reports, test scores, class rank, extracurricular activities and any other relevant education information).

For students 14 years old or older, the rights below belong to the students and their parents or guardian. For students 18 years old or older, the rights below belong to the students alone if they request in writing that only they, and not their parents or guardians, should have these rights.

For students under 14 the rights below belong only to their parents or guardians.

- a) Seeing a student's records - Parents/guardians have the right to see and have copies made of all materials in the record within two weekdays of the request. The school may not charge more than the cost of the copies.

As required by G.L. Ch. 71, Sec. 34H, a non-custodial parent may have access to the student record in accordance with the law and Department of Education Regulations. The school district will follow the law and the attachments 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 will hopefully encourage parents to be involved in and informed about the education of their children, while protecting the rights and safety of all parties.

- b) Privacy of a student's records - Certified staff members who work directly with a student may see a student's records when it is necessary to perform their duties. With very few exceptions, no one else may see these records without the written permission of a student/parent or guardian.
- c) Destroying a student's records - The school system must keep a student's transcript for at least 60 years after the student leaves the school system. Temporary records must be destroyed within five years after the student leaves the system. Before any records are destroyed, the student/parent or guardian must be given notice and an opportunity to get a copy.
- d) Amending a Student's Record and Appealing it - A student/parent or guardian may add any relevant written material to the student's record. If there is information in the record which the student/parent or guardian feels is inaccurate, misleading, or irrelevant and the student wants it removed, the student may ask the Principal to remove it. If the request is denied, or if the student has any other objections to the school records, there is an appeals process. Information about the appeals process will be supplied by the guidance office.
- e) Notice is given that, under Massachusetts law, Brockton schools will allow access to student records to authorized school personnel of the school to which a student seeks admission or intends to transfer. (603 CMR 23.00)

## SPECIAL EDUCATION STUDENT RECORDS POLICY

State regulations have been adopted regarding the retention and destruction of student records, including special education records. It is the policy of the Brockton Public Schools to comply with all state and federal statutes and regulations regarding student records. Special education records are considered by state regulation to be part of a student's temporary record. The temporary record contains the majority of the information maintained by the school about the student. The information may include such things as standardized test results, class rank, Individualized Educational Programs (IEP's), student progress reports, assessment/evaluation reports, extracurricular activities, and comments by teachers, counselors and other school staff. By state regulation, the temporary record must be kept by the school district for a period not exceeding seven (7) years after the student graduates, transfers or withdraws from the district. Before the records are destroyed, the parent and student will be notified and have an opportunity to receive a copy of any information before its destruction.

# Brockton Public Schools



*Home of the Boxers*

## Brockton High School Student/Parent Handbook

2014-2015

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3. One wellness education requirement per school year may be waived (but no credit given) for any student who successfully completes a Varsity or Junior Varsity season on a Brockton High School athletic team after their freshman year and before the spring season of their senior year. A waiver will only be issued during the school year in which the student participated on a team. At the end of each athletic season, the athletic director will submit a list of qualified students to the Guidance Department head who will forward the information to the appropriate counselor for documentation.
4. Additional waivers may be granted at the discretion of the department head for programs such as Water Safety Instruction certification or other programs that meet the National Association for Sport and Physical Education criteria. Upon completion of requirements, the Wellness Department Head will provide the names of qualified students to the Guidance Department head who will forward the information to the appropriate counselor for documentation.

Note: Students are encouraged to take Wellness courses even if they qualify for a waiver. Freshmen are excluded from the waiver as we require all freshmen to take Introduction to Wellness Education.

#### \*WELLNESS DEPARTMENT - COMPREHENSIVE SEXUALITY CURRICULUM

This curriculum is abstinence based and focuses on relationships; emotional and physical changes young people experience, decision-making skills and the health risks involved with teen sexuality. The program will be presented by the health teacher with added support from the school nurse and classroom teacher. Under Massachusetts law and the School Committee policy, you may exempt your child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues. To apply for an exemption, you must send the Principal a letter requesting an exemption for your child. No student who is exempted from this portion of the curriculum will be penalized. We will provide an alternate assignment to students who are exempted. If you would like to review these materials at the school, you are welcome to do so. Please call the Principal to arrange a convenient time.

## III. STUDENT RIGHTS & PRIVILEGES

### STUDENT RIGHTS

All members of the school community have the right and responsibility to know the rules and regulations of the school. Emergencies and unforeseen circumstances may require the principal to revoke student privileges. All students and staff are guaranteed the right of due process, and the student accused of a violation will be notified of the violation and be afforded the opportunity to present his/her version of the alleged violation.

All students have a right to an education and to the equality of educational opportunity.

Freedom of Speech is guaranteed to all citizens, and students must be allowed to exercise their constitutionally protected rights of free speech, petition, and assembly as long as they do not substantially disrupt the educational process at Brockton High School.

- a. Students shall be allowed to distribute literature on school property at specified locations and times designated, provided the material is not obscene, libelous or espousing prejudicial views.
- b. Students have a right to wear political buttons, armbands and other badges of symbolic expression, as long as these do not violate the limits set in "a" above.
- c. Students may distribute political leaflets, newspapers, and other literature at locations adjacent to the school.
- d. Students may form political and social organizations. These organizations, however, must be open to all students and must abide by Board of Education policies as developed in guidelines established by the student government acting in concert with the principal. These organizations shall have reasonable access to school facilities.
- e. School newspapers, yearbooks, literary magazines and other publications are guaranteed the right of freedom of the press, subject to the existing laws of libel and obscenity. The staffs will have qualified advisers and seek the highest publication standards. Other non-school sponsored student publications should be subjected to locally determined procedures for distribution on school premises.

Students, through their duly elected student government, should have the right to participate in curriculum development in an advisory capacity.

A student's record is any information that is kept about the student in school (examples: grades, test scores, attendance). It is made up of the "transcript" (name, address, courses taken, credits, and grades) and the "temporary record" (progress reports, test scores, class rank, extracurricular activities and any other relevant education information).

Massachusetts Law (General Laws Chapter 71, Section 34H) specifies detailed procedures that govern access to student records by parents who do not have physical custody of their children. For more information, please contact the school principal.

For students in the ninth grade or higher or 14 years old or older, the rights below belong to the students and their parents or guardian. For students 18 years old or older, the rights below belong to the students alone if they request in writing that only they, and not their parents or guardians, should have these rights.

For students under 14 or not yet in the ninth grade, the rights below belong only to their parents or guardians.

- a. Seeing a student's records - Parents or guardians have the right to see and have copies made of all materials in the record within two weekdays of the request. The school may not charge more than the cost of the copies.
- b. Privacy of a student's records - Certified staff members who work directly with a student may see a student's records when it is necessary to perform their duties. With very few exceptions, no one else may see these records without the written permission of a student/parent or guardian.
- c. Destroying a student's records - The school system must keep a student's transcript for at least 60 years after the student leaves the school system. Temporary records must be destroyed within five years after the student leaves the system. Before any records are destroyed, the student/parent or guardian must be given notice and an opportunity to get a copy.
- d. Amending a Student's Record and Appealing it - A student/parent or guardian may add any relevant written material to the student's record. If there is information in the record that the student/parent or guardian feels is inaccurate, misleading, or irrelevant and the student wants it removed, the student may ask the Principal to remove it. If the request is denied, or if the student has any other objections to the school records policy, there is an appeals process. Information about the appeals process will be supplied by the guidance office.
- e. Notice is given that, under Massachusetts law, Brockton schools will allow access to student records to authorized school personnel of the school to which a student seeks to transfer (603 CMR 23.00)
- f. National Student Clearinghouse Data – Brockton High School provides information to the National Student Clearinghouse for the purposes of tracking college enrollment verification. The information provided is in compliance with FERPA laws. However, parents/students may opt-out of providing information to this organization. Opt-out requests must be submitted to the student's housemaster in writing.

### **SPECIAL EDUCATION STUDENT RECORDS POLICY**

State regulations have been adopted regarding the retention and destruction of student records, including special education records. It is the policy of the Brockton Public Schools to comply with all state and federal statutes and regulations regarding student records. Special education records are considered by state regulation to be part of a student's temporary record. The temporary record contains the majority of the information maintained by the school about the student. The information may include such things as standardized test results, class rank, Individualized Educational Programs (IEP's), student progress reports, assessment/evaluation reports, extracurricular activities, and comments by teachers, counselors and other school staff. By state regulation, the temporary record must be kept by the school district for a period not exceeding seven (7) years after the student graduates, transfers or withdraws from the district. Before the records are destroyed, the parent and student will be notified and have an opportunity to receive a copy of any information before its destruction.