

## Federal and State Mandates

### NON-DISCRIMINATION STATEMENT

It is the policy of the Harvard Public Schools not to discriminate on the basis of race, color, religion, creed, sex, age marital status, national origin, mental or physical disability, veteran status, or sexual orientation in its educational programs, extracurricular activities and other services, or employment policies as required by Chapter 622 of the Acts of 1971 (State) and/or Title IX of the Education Amendments of 1972 (Federal) and/or Chapter 504 of the Rehabilitation Act of 1973 (Federal) and other applicable state and federal statutes and regulations.

Furthermore, the Harvard Public Schools' policy includes prohibitions of harassment of students and employee, i.e., racial harassment, sexual harassment, and retaliation for filing complaints of discrimination. Inquiries, concerns or complaints regarding Chapter 622, Title IX, Title VI and Section 504 compliance may be directed to Mr. Gary Fernandez, the Title IX, Title VI, and/or Section 504 Coordinator or Principal, James F. O'Shea at The Bromfield School, 14 Massachusetts Avenue, Harvard, Massachusetts, 01451, (978)456-4152 or the Director of the Office of Civil Rights, Department of Education, Washington, D.C.

### STUDENT INFORMATION

Under Massachusetts State Department of Education regulations, the school system may release for publication certain information concerning students without first obtaining consent unless parents have notified us that we should not do so. The information which may be released includes only students' names, classes, participation in extracurricular activities, degrees, honors and awards, and post-high school plans. If parents do not wish such information to be released for publication without explicit consent during the school year, they should contact the Principal.

### STUDENT RECORDS

In accordance with Massachusetts State Department of Education regulations, different portions of the student record will be destroyed at two points in the future. The majority of the information (temporary record) will be destroyed within seven years following the student's graduation or withdrawal from the school system.

Specifically, the information to be destroyed within five years from graduation or withdrawal now includes:

- records of participation in school-sponsored extracurricular activities
- evaluations and reports by teachers, counselors, and others
- attendance data
- all other information not listed below

The following information may be destroyed only after the passage of sixty years:

- identifying information regarding students and parents or guardians
- course titles and grades received
- grade level completed and year of completion

You have the right to examine and receive a copy of any or all of the above information at any time prior to its destruction. If you have any questions regarding your/your child's student record, please contact the Guidance Department at The Bromfield School (telephone 978-456-4148). The temporary record is made available to seniors prior to graduation.

The Harvard Public Schools adhere to the provisions of the Family Educational Rights and Privacy Act (FERPA) and Massachusetts laws and regulations in providing access to and confidentiality of student records. As permitted by these laws, the Harvard Public Schools' School Committee has designated selected student records to be "directory information." For elementary school students, the following records have been designated as directory information:

Name  
Grade  
Classroom assignment

For middle and high school students that the following records have been designated as directory information:

Name  
Graduating class  
Team/class assignment (middle school)  
Weight and height of members of athletic teams  
Participation in officially recognized activities and sports  
Honors and awards

The Harvard Public Schools will release the designated directory information without the consent of the parent or eligible student, unless the parent or eligible student provides the principal with written notice that he/she does not wish the school to release such information. The notice must be received annually by a date designated by the principal. The Harvard Public Schools also disclose all student records without the consent of the parent/eligible student to officials of other schools in which a student seeks or intends to enroll. To the extent required by applicable law, the Harvard Public Schools will provide parents/eligible students with an annual notice of their general rights relative to student records. The Superintendent will determine the content and method of such notice.

Non-custodial parents must submit a written request for the student record to the school principal. The Harvard Public Schools will respond to the request in accordance with state and federal laws and regulations regarding access by non-custodial parents.

**Statutory References:**

Family Education and Privacy Rights Act (FERPA): 20 U.S.C. §1232ga, 34 CFR §99  
Massachusetts Student Records Regulations: 603 CMR 23.00, et seq.  
Student Records Access for Non-Custodial Parents: General Laws, Chapter 71, §34H.

**Harvard Public Schools Annual Notice: The Family Education and Privacy Act Massachusetts Student Records Regulations**

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations ("Regulations") together provide parents and eligible students (those who have reached the age of 14 or who have entered ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents and students may obtain a complete copy of their rights under the Massachusetts Student Record Regulations by contacting the Superintendent's Office at (978) 456-4140.

(a) The **right to access** the student's education records. Parents or eligible students should submit their request for access to the principal. Access is generally provided within ten days of a request. However, Massachusetts General Laws c. 71, §34H ("Section 37H") law provides specific procedures that must be followed prior to release of records to a parent who does not have physical custody of a child. Information about these procedures can be obtained from the principal or the Superintendent.

(b) The **right to request amendment** of the student's education records. Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended, and why.

(c) The **right to consent to disclosures** of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the Harvard Public Schools and who need access to a record in order to fulfill their duties. The Harvard Public Schools also disclose student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks, intends, or is instructed to enroll upon receipt of a request from such school officials.

(d) In addition, the Harvard Public Schools have a practice of releasing directory information without parent/eligible student consent. Directory information for elementary school students includes the student's name, grade, and classroom assignment. Directory information for middle and high school students consists of the following: the student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of athletic teams, class, participation in recognized activities and sports, honors and awards, and post-high school plans. Upon request from military recruiters and/or representatives of post secondary educational institutions, The Bromfield School will provide the name, address, and telephone listing for all secondary students. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to the building principal. Absent receipt of a written objection by September 15 of each school year the directory information will be released without further notice or consent.

(e) The **right to file a complaint** concerning alleged failures by the District to comply with the regulations and laws governing student records. Complaints may be filed at the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC.