

MASSACHUSETTS DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION STUDENT RECORDS REGULATIONS

ACCESS TO STUDENT RECORDS

According to 603 CMR 23.07(4)(h) of the Massachusetts Student Records Regulations, 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 consent of the eligible student (a student who is 14 years or older or who has entered the 9th grade) or parent.

TRANSFER OR DESTRUCTION OF STUDENT HEALTH RECORDS

The student health record is considered part of the student's temporary record and must accompany the student record when transferred to the student's new school in accordance with G.L.c.71 Section 37L. The Student Records Regulations authorize a public school or school district to send student records directly to a school to which a student seeks or intends to transfer, without the consent of the eligible student or parent, provided the school that the student is leaving gives notice to students and parents that it follows this practice. 603 CMR 23.07(4)(g). If a parent requests that the health record not be sent, the school should advise the parent that the student may be refused entry into the new school unless the immunization portion of the health record is provided.¹ To prevent delay in enrolling a student in a new school, the sending school must expedite the transfer of the student's record.

The student health record of any student enrolled may be retained for up to seven years after the student graduates, transfers or withdraws. In accordance with 603 CMR 23.06(3), the parents and eligible student must be notified of the approximate date that the records will be destroyed and of their right to receive a copy of the records when the student transfers, graduates, or withdraws from school. If the school health personnel administered immunizations to students, federal law requires that documentation of immunization be retained in the student's permanent medical record (National Childhood Vaccine Injury Act 1986).

DISTRIBUTION OF IMMUNIZATION RECORDS TO 12TH GRADERS

All twelfth graders and other high school students transferring or leaving school must be given a copy of their immunization record or health record upon request. 603 CMR 23.07 (2). Students should be encouraged to request their health record and assume responsibility for their own medical records. Students should be informed that if they attend college in Massachusetts, the College Immunization Regulations require the student to provide an immunization history 105 CMR 220.600.

VERIFICATION OF IMMUNIZATION DATA

Staff in the Division of Epidemiology and Immunization, may conduct random sample, validation surveys to determine the reliability of immunization data during the school year.

ASSISTANCE

For assistance, please contact the MDPH Immunization Program at (617) 983-6800.

¹ 105 CMR 220.500