JRA-E1 - Annual Notice of Student Education Records and Information Rights

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The Family Educational Rights and Privacy Act (“FERPA”) provides certain rights to parents and eligible students (18 years of age or older) with respect to the student’s education records.

A. Inspection of Records

Parents/eligible students may inspect and review the student’s education records within 45 days of making a request. Such requests must be submitted to the Superintendent or building administrator in writing and must identify the record(s) to be inspected. The Superintendent or building administrator will notify the parent/eligible student of the time and place where the record(s) may be inspected in the presence of school staff. Parents/eligible students may obtain copies of education records at a cost of $0.15 cents per page, plus postage.

B. Amendment of Records

Parents/eligible students may ask the School Department to amend education records they

believe are inaccurate, misleading or in violation of the student’s right to privacy. Such requests must be submitted to the Superintendent or building administrator in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Superintendent or building administrator decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing and information about the hearing process.

C. Disclosure of Records

The School Department must obtain a parent/eligible student’s written consent prior to disclosure of personally identifiable information in education records except in circumstances permitted by law or regulations as summarized below.

1. Directory Information

The School Department designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, honors and awards received, and photographs and videos relating to student participation in school activities open to the public (except photographs and videos on the Internet). Parents/eligible students who do not want the School Department to disclose directory information must notify the Building Administrator in writing by September 15th or within thirty (30) days of enrollment, whichever is later. This opt-out request will remain in effect unless and until it is rescinded. (Please reference JRA-E2 and JRA-E3 forms.)

2. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and the School Department must comply with any such request, provided that parents have been notified of their right to make a written request that this information not be released without prior written consent. Parents/eligible students who do not want the School Department to disclose this information without their prior written consent must notify the Building Administrator in writing by September 15th or within thirty (30) days of enrollment, whichever is later. (Please reference JRA-E2 and JRA-E3 forms.)

3. School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a “legitimate educational interest.” A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by the School Department as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); members of the Board of Education; persons or companies with whom the School Department has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators or therapists); and volunteers who are under the direct control of the School Department with regard to education records.

4. Health or Safety Emergencies

In accordance with federal regulations, the School Department may disclose education records in a health or safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

5. Other School Units

As required by Maine law, the School Department sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

6. Other Entities/Individuals

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/eligible students may obtain information about other exceptions to the written consent requirement by request to the Superintendent or building administrator.

D. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that the School Department has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

Legal Reference: 20 U.S.C. § 7908

34 C.F.R. § 99.7

20-A M.R.S.A. § 6001

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