

## **ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS**

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/designee in writing and must identify the record(s) to be inspected. The Superintendent/designee will notify the parent/eligible student of the time and place where the record(s) may be inspected.

### **B. Amendment of Records**

Parents/eligible students may ask MSAD 55 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/designee in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Superintendent/designee 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 procedure.

### **C. Disclosure of Records**

MSAD 55 must obtain a parent/eligible student’s written consent prior to disclosure of personally identifiable information in education records except in circumstances as permitted by law.

#### **1. Directory Information**

MSAD 55 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 MSAD 55, and honors and awards received. Parents/eligible students who do not want MSAD 55 to disclose directory information must notify the Superintendent/designee in writing.

#### **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 MSAD 55 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents/eligible students who do not want MSAD 55 to disclose this information must notify the Superintendent/designee in writing.

#### **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 MSAD 55 as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); persons or companies with whom MSAD 55 has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists); and parents, students and volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

4. Other School Units

As required by Maine law, MSAD 55 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).

5. Health or Safety Emergencies

In accordance with federal regulations, MSAD 55 may disclose education records without prior written consent in a health and safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

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/designee.

**D. Complaints Regarding School Department Compliance with FERPA**

Parents/eligible students who believe that MSAD 55 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

Adopted: November 5, 2008

Revised: July 6, 2016