

NOTIFICATION OF RIGHTS UNDER FERPA

Education records are records that are directly related to a student, and are maintained by the district. The Family Education Rights and Privacy Act of 1974 (FERPA), Maine law, and Department of Education guidelines regulate access to education records. FERPA gives parents and eligible students rights with respect to these records. Access to and maintenance of education records shall conform with FERPA. The district shall not maintain records with no legitimate educational interest.

1. Eligible student: Parent rights over student records transfer to the student at age 18. Students to whom the rights have transferred are “eligible students.” Reference to parents shall mean eligible student as applicable.
2. The district shall notify parents annually of their rights under FERPA. Notification shall include:
 - a. Informing parents of the right to review the education records, and seek amendment to records believed to be inaccurate, misleading or in violation of the student’s privacy rights
 - b. List of information considered directory information
 - c. Notice of parent’s right to opt out of the release of directory information except where allowed by FERPA
 - d. Notice of parent’s right to opt out of the release of the student’s name, address and telephone number to military recruiters and post-secondary schools.
 - e. Notice of parent’s right to opt out of providing the student’s social security number
 - f. Notice of the district requiring consent to publish personally identifiable information on the Internet.
 - g. List of entities to which the district may disclose directory information
 - h. Notice of right to file complaints with the US Department of Education
 - i. The procedure for inspecting and reviewing education records
 - j. The procedure for requesting amending records
 - k. List of school and other officials with access to records for legitimate educational interest in order to fulfill a professional responsibility.
 - l. A form for opting out or providing consent where applicable.
 - m. Notice to parents who believe the district is not complying with FERPA of the right to file a complaint with the federal Department of Education.
3. Directory Information: The district defines certain personally identifiable information as directory information. Unless a parent withholds consent by use of an opt-out form, the district may disclose the student’s directory information as allowed under FERPA. Directory information includes:

- a. Student name.
 - b. Field of study
 - c. Hometown.
 - d. Telephone number.
 - e. Date and place of birth.
 - f. Participation in officially recognized activities and sports
 - g. Weight and height of members of athletic teams
 - h. Degrees, honors and awards.
 - i. The most previous educational agency attended by the student
 - j. Dates of attendance.
 - k. Grade level
 - l. Ranks in the top 10 percent of the class.
 - m. Post graduation placement
4. Non-directory information: All other records are non-directory information.
5. Information on the Internet: The district shall not publish personally identifiable information on the Internet without parent consent.
6. Designated Law Enforcement Units: The Maine State Police and Hancock County Sheriff's Department are the designated law enforcement units.
7. Waiver of Rights: A parent may, in writing waive rights regarding confidentiality of education records.
8. Rights of Inspection. The district shall comply with a parent request for access within the mandated 45 days. The district shall respond to reasonable requests for explanations and interpretations of the records. If the parent or eligible student cannot exercise the right to inspect and review records, the district shall provide a copy of the requested record, or make other arrangements to allow inspection and review. A fee may be charged for a copy of the record. Limitations on their right to inspect and review records shall conform to FERPA.
9. Procedures for Amending. Parents may request the district amend information they believe is inaccurate, misleading, or in violation of the student's right to privacy. The district shall decide whether to amend in a reasonable amount of time. If the district decides not to amend, it shall inform the parent or eligible student of its decision and the right to a hearing.
10. Hearings. The district shall grant a hearing before the school board when requested. When the district decides, as a result of the hearing, that the record should be amended, it shall do so and inform the parent. If the district decides the record is not inaccurate, misleading, or in violation of the privacy rights of the student, it shall inform the parent of the right to place a statement in the record commenting on the contested information. The statement shall stay with the record as long as the record is maintained. The district shall disclose the statement whenever it discloses the portion of the record to which the statement relates.
11. Records Maintenance: Records shall be safeguarded from unauthorized access, and protected from damage.

12. Authorized access to education records: The principal shall control access to education records. A log shall be kept of all record inspections, including name, title, date, and legitimate educational interest.
13. High School Transcripts: High school transcripts shall be kept in perpetuity.
14. Special Education Records: The permanent record of a special education student, including name, address, phone number, grades, attendance record, classes attended and grade and year completed, shall be kept in perpetuity. When the district no longer needs special education records to provide services or to demonstrate provision of a free and appropriate education, the district shall inform parents and turn over records at the parents' request.