

## **NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) certain rights with respect to the student's education records. They are:

- A. The right to inspect and review the student's education records within 45 days of the day the MSAD#8 receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- B. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask MSAD#8 to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the MSAD#8 decides not to amend the record as requested by the parent or eligible student, the MSAD#8 will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- C. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school unit as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a

person or company with whom the school unit has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

Upon request, the MSAD#8 discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

- D. The right to file a complaint with the U.S. Department of Education concerning alleged failures by MSAD#8 to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

- E. The MSAD#8 may make public at its discretion personally identifiable information from the education records of a student without parental consent if that information has been designated as directory information by the school. This school unit has designated the following information as directory information: the student's name, participation in officially recognized activities and sports, weight and height of athletes, and honors and awards received.

Such information will not be disclosed if the parent of the student informs the school unit in writing within 10 days of the first student day of the school year or within 10 days after enrollment, that such information is not to be designated as directory information with respect to that student. Any such notice should be sent to the Superintendent of Schools at the following address:

MSAD#8-Supt of Schools\_\_\_\_  
22 Arcola Lane\_\_\_\_\_  
Vinalhaven, ME 04863\_\_\_\_\_

- F. Federal law permits military recruiters and institutions of higher learning to request and receive the names, addresses and telephone numbers of high school students upon request, unless the student's parent or eligible student notifies the school unit that he/she does not want such information released. Such information will not be disclosed if the student's parent or eligible student notifies the school unit, in writing, that such information should not be released without his/her written consent. Any such notice should be sent to:

MSAD#8-Supt of Schools\_\_\_\_  
22 Arcola Lane\_\_\_\_\_  
Vinalhaven, ME 04863\_\_\_\_\_

- G. Under Maine law, MSAD#8 shall not publish on the Internet without written parental consent any information whether directory or otherwise, that identifies a student, including but not limited to the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names.

The MSAD#8 maintains a more extensive policy and procedure concerning education records. This policy and procedure can be obtained by contacting the Supt of Schools.

Legal Reference: 20 U.S.C. § 7908  
34 C.F.R. § 99.7  
20-A M.R.S.A. § 6001

Adopted: 12-15-08

*This is a required notification.*

*Reviewed 12/03*

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