

JRA-E (FORM) - ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS

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

I. INSPECTION OF RECORDS

Parents/eligible students may inspect and review the student's education records within 45 days of the day Cape Elizabeth School Department (CESD) receives the request for access. Such requests must be submitted to the Superintendent or building principal in writing and must identify the record(s) to be inspected. The Superintendent or building principal 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 per page determined by the school department.

II. AMENDMENT OF RECORDS

Parents/eligible students may request the School Department amend an education record they believe is inaccurate or misleading. Such requests must be submitted to the Superintendent or building principal 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 principal decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing regarding the request, and information about the hearing process and procedures.

III. 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.

I. 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 they need to review an education record in order to fulfill their 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 School Board; persons or companies with whom the School Department has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists) or a parent or student assisting a school official in performing a task or serving on a official committee (such as a disciplinary or grievance committee).

II. Directory Information

CESD 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 department. The School Department designates the following personally identifiable student information as directory information that may be made public at its discretion: student 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, and honors and awards received. Parents/eligible students who do not want the School Department to disclose directory information must notify the Superintendent in writing within ten (10) days of the first student day of the school year or within ten (10) days of enrollment, whichever is later.

III. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to request and receive the names, addresses, and telephone numbers of high school students and the School Department must comply with

any such request. Parents/eligible students who do not want the School Department to disclose this information without their prior written consent must notify the Superintendent in writing within ten (10) days of the first student day of the school year or within ten (10) days of enrollment, whichever is later.

IV. 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.

V. Other School Units

As required by Maine law and upon request, education records are disclosed without consent to officials of another school district in which a student seeks or intends to enroll.

IV. 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 Ave, SW
Washington DC 20202

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